

SECRETARIAT AND HEADS OF DEPARTMENTS

A Study of their Relationship

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Government of Andhra Pradesh

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CONTENTS

	Page
Foreword by M. P. Pai	i
Preface	iii
PART I	
1. General pattern	1
2. Different Views	5
3. Views of the Expert Committees on this problem	8
4. Position in other countries	19
5. Examination of the solutions offered	26
6. An approach to the problem	34
7. Summary of Recommendations	41
PART II	
CASE STUDIES	
Factual Background to the cases	43
1. Framing of adhoc rules for the temporary post of gear technician in the Fisheries Department	53
2. A scheme for the establishment of statistical section in the Animal Husbandry Department	60
3. Continuance of Government guarantee for financing chemical fertilisers distribution to the Andhra State Co-operative Bank	71
4. Purchase of chairs for the office of Conservator, Kurnool District	75
5. Repairs to a motor vehicle in the Fisheries Department	79
6. Purchase of tyres and tubes in the Forest Department	85

7. Appointment of a Liaison Officer and skeleton staff for the establishment of Synthetic Drugs Project at Hyderabad	92
8. Appointment of special staff for the collection of arrears of forest revenue in the Forest Department	100
9. Purchase of a lorry by the Director of Industries and Commerce for the Government Ceramic Factory, Gudur	109
10. Hostel for the training of fishermen at the Fisheries Training Institute, Kakinada	116
11. Publishing of Andhra Pradesh Journal by the Information and Public Relations Department	121
12. Printing of Desk Diaries by the Information and Public Relations Department	132
13. General Observations on the cases	141
APPENDIX I Bibliography	143
APPENDIX II List of subjects mentioned by Bengal Administration Enquiry Committee to be dealt with by the Departments and Ministries.	146
APPENDIX III Definitions of certain terms used in the Report	148
APPENDIX IV Organisation chart of the Food and Agriculture Department (Secretariat)	150
APPENDIX V Organisation chart of the Department of Industries and Commerce	151
APPENDIX VI Table of cases	152
APPENDIX VII Office order relating to distribution of work	163
APPENDIX VIII List of persons interviewed	179

FOREWORD

This study of the "Relationship between Secretariat Departments and Executive Heads of Departments" has been made at the instance of the Andhra Pradesh Regional Branch of the Indian Institute of Public Administration.

The study was to some extent suggested by the recommendation on this subject in the Report of the Administrative Reforms Committee set up by the Andhra Pradesh Government in 1960. That Report took a different line from other similar Committees which have dealt with the question in this country. Six members of the Committee recommended the "merger" of the offices of the Heads of Departments with the Secretariat in three stages, though it is not clear whether in the final stage, the distinction between Secretariat and Executive functions would disappear entirely, or whether the pattern visualised is that obtaining in the State of Bihar where the Secretariat and Executive Offices work side by side in the same premises and largely through the same files but still maintain their individual identities. The minority report of Shri I. J. Naidu vigorously supported the point of view taken by the other Committees referred to earlier which have reported on the issue in Bengal, Hyderabad, Kerala, Mysore and Bombay in previous years and supported the separation of Executive and Secretariat functions. The present study supports this overwhelming point of view for reasons which appear in the following pages.

Apart from surveying the previous Reports on this important issue, this study has examined 69 files of the Andhra Pradesh Government arising in the Departments of Industries, Forests, Fisheries, Animal Husbandry, Information and Public Relations and Co-operation. The main features of these are given in twelve detailed case studies and 57 abstracts in tabular form. The studies have revealed that a good deal of the delays which now occur in the Andhra Pradesh Secretariat (which perhaps is no worse in this respect than in other Secretariats) is due to breach of the Secretariat Instructions in the matter of noting, repeated and piecemeal examination and so forth but certain important aspects have also arisen for examination like (1) scrutiny of cases at numerous Gazetted levels and in numerous Departments and (2) the desirability or otherwise of post budget-

scrutiny by a Financial Adviser, who instead of being an Adviser and a member of the Administrative Department acts as part and Parcel of the Finance Department with no detailed knowledge of, or responsibility to the Department which he advises. Interesting observations are also made in the Report on the results of the tentative measures taken in some Departments in the Andhra Pradesh Secretariat to vest Secretariat powers in Heads of Departments. The study reveals that even though such a combination of functions has only been made and that too experimentally in Departments of lesser importance like the Department of Information and Public Relations and the Department of Social Welfare, interesting possibilities have been thereby thrown up.

The study apart from being interesting in an academic sense is valuable in that it indicates possible lines of streamlining Government work to obviate the numerous delays, many avoidable, which occur as a consequence of the present methods of work and organisation. It should be of practical assistance to Secretariat officers quite apart from the interesting lines of thought which it provokes. The Regional Branch is grateful to Messrs. G. Ram Reddy of the Osmania University and M. R. Pai, I. A. S., of the Andhra Pradesh Government for the time and trouble taken by them in this study. It would also offer its warm thanks to the Departments of the Andhra Pradesh Government and the Andhra Pradesh Secretariat for access given to the files covered by the study, and to many senior officers for their help and assistance. This is a pioneer venture of the Regional Branch and should be of great interest not only to the Government of Andhra Pradesh, but also to other Governments and students of Public Administration.

HYDERABAD.

4th March, 1964

M. P. PAI, I. A. S.

Chairman.

Andhra Pradesh Regional Branch of the
Indian Institute of Public Administration

PREFACE

The Executive Committee of the Indian Institute of Public Administration, Andhra Pradesh Branch desired in 1962 that a study of the relationship between the Secretariat and the Heads of Departments be undertaken as a research project. We were nominated by the Committee to study the subject and submit a report.

We actually started working on the project at the end of 1962. The methodology adopted by us in this work was three-fold:

- a) the study of the existing literature on the subject;
- b) perusal of certain files in the offices of the Secretariat and the Heads of Departments; and
- c) interviewing some persons connected with the subject.

a) Published literature on the subject in India was scanty. Although some Administrative Enquiry Committees had dealt with the subject, the treatment had not been very exhaustive. Nevertheless, we found the reports of the Bengal Administration Reforms Committee, the Bombay Administrative Reforms Committee, the Kerala Administrative Reforms Committee and the Andhra Pradesh Administrative Reforms Committee useful.

We found some books very useful in understanding the foreign administrative systems which have been acknowledged at the appropriate places in the report.

b) The Government of Andhra Pradesh was kind enough to permit us to peruse some files. A letter was sent by the General Administration Department to all the Departments to give us the necessary facilities. We selected six Departments for study—Co-operation, Forest, Fisheries, Animal Husbandry, Industries and Information and Public Relations for the following reasons:

- i) Some were technical and others non-technical departments.
- ii) Technical Departments which had generalists as Heads of Departments (e. g. Forest and Fisheries) and those which had technical men as Heads of Departments (e. g. Co-operation.)

- iii) One Department, where the Head of the Department was also an ex-officio Secretariat Officer (Department of Information and Public Relations.)

The files were selected and given to us by the Heads of Departments on the basis of the following criteria:

- a) Nature of the cases—a mixture of routine and special cases.
- b) Cases which were rejected by the Secretariat.
- c) Cases which were approved by the Secretariat, but with considerable modifications.
- d) Cases which were approved in toto or with minor modifications by the Secretariat.

On an average each of the six Departments gave us about 15 files from which we selected 12 on the basis of the above mentioned criteria. In all about 72 cases were studied from the various Departments and 69 of their corresponding cases in the Secretariat Departments. For 3 cases we could not get the corresponding Secretariat files. From among these, 12 cases have been presented in detail in the chronological order. Cases were taken as they existed in the files to throw light on the following aspects:

- a) Nature of the proposal sent by the Head of the Department
- b) Contribution made to the proposal in the Secretariat at various levels and by various Departments.
- c) Time taken in deciding the case.

The remaining 57 cases have been presented in the tabular form noting their various aspects.

We interviewed the Heads of Departments and Secretariat Officers concerned. The main purpose of interviewing them was to get their views on the subject of relationship between the Secretariat and the Heads of Departments. Some other persons who were connected with or interested in the subject were also interviewed. (Their names are given in Appendix). One of us visited Bombay in March, 1963 to study the working of two departments—the Public Works Department and the Dairy Development Department in which the Heads of Departments were given Secretariat status. He interview

wed the concerned officials in the Departments. We are deeply obliged to Mr. N. S. Pardasani, Deputy Secretary, General Administration Department and Secretary, Indian Institute of Public Administration, Bombay Branch for arranging the meetings with the officers. To the Officers who enlightened us on the subject we express our sincere thanks.

We feel that the files and the Departments which we have studied broadly indicate the pattern of relationship existing between the Secretariat and Heads of Departments. They also throw light on how decisions are made in the Secretariat and its contribution to the proposals sent by the Heads of Departments. Our view is that such a study has been undertaken for the first time—especially a study based on the perusal of actual files. Future research scholars could profitably explore the subject even further with the active co-operation of the Government.

We wish to thank the Government of Andhra Pradesh and the Osmania University for granting the necessary permission which has enabled us to undertake this study. To Sri M. P. Pai, I. C. S., Chief Secretary and Chairman of the Regional Branch of the Indian Institute of Public Administration and Dr. D. S. Reddi, Vice-Chancellor, Osmania University we are grateful for the help that they have given us in various ways. We wish to record our gratitude to Messrs V. K. Bawa, I. A. S., S. Santhanam, I. A. S., and Dr. Ram K. Vepa, I. A. S., of the Regional Branch of the Indian Institute of Public Administration for their interest and encouragement. To the various officers in the offices of the Secretariat and the Heads of Departments our debt of gratitude is immense. They have given us their unstinted help—in some cases at considerable personal inconvenience. But for their help and co-operation it would have been impossible for us to make any worthwhile progress. It is impossible to name any of them individually, and we do not attempt to do so. We, therefore, content ourselves by recording our sincere thanks for their help. We should like to thank Professor V. V. Ramanandham, and Sri Ziauddin Khan for their helpful advice. Our thanks are due to Dr. M. A. Muttalib and Dr. Caiden, who offered useful comments on the various aspects of the draft. We should be failing in our duty if we forget to mention the Andhra Pradesh Secretariat Librarian who was very helpful in making available literature on the subject. Similarly the stenotypist did a grand job in spite of difficulties. In the earlier stages of the

project one of us was helped by Messrs Ramchandra Reddy, Madan Mohan Reddy and Gopalakrishna. We are grateful to them.

Finally, we wish to express our gratitude to the Regional Branch of the Indian Institute of Public Administration[†] for nominating us to the project and giving us the necessary financial assistance.

Hyderabad,
May, 1964.

M. B. Pai
G. R. Reddy

SECRETARIAT AND HEADS OF DEPARTMENTS

Independent India took over from the British the administrative machinery which was, in many respects sound and in good working condition. This machinery had been devised by them to perform certain limited and well defined duties. Since Independence there has been a complete metamorphosis in the functions of the state and the 'night watchman' can hardly be identified now. The new tasks undertaken by the State are challenging in nature and often put the administrative machinery to a severe test. Doubts have been increasingly expressed about the adequacy and capacity of the administrative organization.

Reform of administration has been a subject of constant discussion and debate in Assemblies and Parliament and it has engaged the attention of Governments at both the Central and State levels. Several committees have studied the problems and suggested solutions. One of the major issues in Governmental organization has been the relationship between the Secretariat and the Heads of Departments. That on the proper relationships between the two units depends the efficient functioning of administration is undeniable. Yet the establishing of right relations between them has not always been an easy task. The relationship between these two units is extremely delicate and hard to define except in very broad terms. It is more often than not an exercise in tight rope walking for those who attempt to do so.

Our attempt in this report has been to understand clearly the roles of the two units, the Secretariat and the Offices of the Heads of the Departments – and to see how they function and what changes, if any, are needed in them to meet the present requirements.

1 General Pattern

In India the work of Government is divided into two fairly water tight compartments – one compartment is "the Government" or "the Ministry" – the other is "an agency subordinate to Government" or the office of the Head of the Department. The actions of the former are treated as the actions of "Government". It is the highest office of the Government in the State

The existence of a Ministry or Secretariat arises from the need for separating questions of policy from actual details of administration. Also, there is the need to attend to the work connected with financial control and legislation. The Departments are, on the other hand, concerned with the actual implementation of the policies laid down by Government. They conduct the great mass of business and are expected to relieve the Ministries of the day to day details of administration.

In the States in India there are Ministries or Secretariat Departments. Each Ministry is concerned with the work of several Executive Departments. The Ministry is headed by a permanent Secretary, who is usually a generalist administrator. He is assisted by Deputy and Assistant Secretaries and in some cases by Additional and/or Joint Secretaries. In each Ministry there are a number of of Sections which deal with the work of the Executive Departments

There is for every important activity of the State a separate Department. Each Department is headed by a "Head of the Department". Generally he is a technical man but there are some exceptions to this rule. Certain technical Departments are headed by generalist administrators. The Head of the Department is assisted by technical and non-technical officers. Almost all the important Departments have field offices in the districts, taluks/blocks. Heads of these field offices work under the general supervision of their respective Heads of Departments.

Separation of policy from execution is a well established practice in India. Under the British this arrangement worked satisfactorily for a long time.

To a purist, the Secretariat means a staff agency. It assists the Minister in the formulation of policy and supervision of work. The Department is a line agency in charge of actual execution and implementation of Government policies.

With the advent of Independence there has been a change in the outlook and functions of the administrative machinery. Although Independent India took over in tact and in good shape an instrument of Government fashioned by the British for the purpose of ruling over a subject country, there is a vital difference between the purposes of the Government of India under the British rule and of Independent

India under its own leadership.¹ India has adopted a parliamentary responsible Government. "She has also set before herself" writes Srinivasan, "the goal of speedy achievement of a socialist pattern of society through a system of National Economic Planning." These affect the tasks of Government. There are also the democratic pressures to expand its activities. This has resulted in the proliferation of existing Departments and the creation of many new Governmental agencies. There is again the anxiety of popular Ministries to look into details of administration instead of confining themselves to broad policy matters and the result of all this has been blurring of responsibilities. A certain amount of vagueness and confusion surround the roles of Secretariat and Executive Departments. The demarcation of their functions and duties is not as clear cut as it should be.

Andhra Pradesh was formed on 1st November 1956 by merging the nine Telangana districts of the erstwhile Hyderabad State with the erstwhile Andhra State which had eleven districts. The two States had their own systems of administration. The administration of Hyderabad State had been evolved over a long period and had its own characteristics. The Andhra State which was carved out of Madras State had followed the Madras pattern of administration. The two systems of administration differed in "certain important details". They have been amalgamated by "adopting the best of both".²

The Head of the State is the Governor who is assisted by a Council of Ministers headed by the Chief Minister. Each Minister is in charge of one or more Departments.

There are 12 Secretariat Departments or Ministries. As in other States each Secretariat Department is headed by a Secretary to the Government, who is assisted in some cases by Additional and/or Joint Secretary, Deputy Secretaries and Under/Assistant Secretaries. In each Ministry there are sections which deal with the work of Executive Departments. Each section is headed by a Superintendent. Under him work Upper Division Clerks, Lower Division Clerks and

1. N. Srinivasan, Changes in Central Ministries and Departments since Independence. Indian Journal of Public Administration, Vol. IX, No. 3, 1963, pp. 384-85.

2. The Andhra Pradesh Government, Report of the Administrative Reforms Committee, 1960. The Government Stamp Press, Hyderabad, P-5.

Typists. The following hierarchy of Ministry of Agriculture is fairly typical of the other Ministries in Andhra Pradesh :

Secretary, Joint Secretary, three Deputy Secretaries, one Special Officer for Agricultural University and seven Assistant Secretaries. Under each Assistant Secretary there are sections (for chart see Appendix V.)

On the Executive side there are 31 Departments.¹ Each of these Departments is headed by a Head of the Department who is usually designated as "Director". He is assisted by Joint Directors, Deputy Directors, Assistant Directors and Specialists in the Department. In the Districts there are field offices of these Departments which look after the work at the district level. In some cases there are regional offices which function as intermediate agencies between the Director and the District offices. The hierarchy given below of the Industries and Commerce Department illustrates the general set up of the Departments in the State :

The Director, Joint Directors, Director of controlled Commodities, Superintending Engineer, Deputy Directors and Assistant Directors. (for chart see Appendix VI.)

That the relations between the Secretariat and the Heads of Departments are not as cordial as they should be is clear from the report of Administrative Reforms Committee.²

Our discussions with the officers of the Secretariat and the Heads of Departments lead us to believe that the roles of these two separate units of administration are not clearly understood and where understood are not always adhered to. The Heads of Departments seem to feel that the Secretariat has centralised all important powers and interferes in the day to day functioning of their offices. There is also the feeling that the Secretariat has forgotten its true functions and is functioning more like an Executive Department. In this process it was felt that very little discretion has been left with the Heads of Departments. On the other hand the Secretariat Officers seemed to be of the view that the Heads of Departments send proposals which are not fully prepared and are not considered from the point of view of financial and administrative feasibility. It was also pointed out that sometimes the Heads of Departments have not taken decisions in

1. The Administrative Reforms Committee Report, A. P., 1960. Op. cit. P. 86.

2. Ibid.

matters where they have been given powers. There are, therefore, areas where the Heads of Departments have abdicated power in favour of the Secretariat. This happens when the Head of the Department is afraid of the consequences of the decision and tends to refer the matter to the Secretariat.

All these have been responsible for the existing state of relations between the Secretariat and the Departmental officers. It has also taken the shape of generalist versus technical officer controversy with technical heads of Departments coming to resent what is called "non-technical" scrutiny in the Secretariat.

2. *Different Views.*

There are two schools of thought arising out of this situation one is in favour of the status quo with minor modifications; the other is for either the abolition of the Secretariat altogether or for giving "Secretariat status" to the Heads of Departments. Those who are opposed to the present system of the separate existence of the Secretariat and the Departments put forward the following arguments:

- (a) It is becoming increasingly impossible to draw a clear line between policy and execution—one impinges on the other.
- (b) Existence of two separate entities (Secretariat and Departments) is causing delays. There is overcentralisation in the Secretariat.
- (c) There is duplication of work. The same work is once again done in the Secretariat Departments.
- (d) The Secretariat officers do not always understand the problem of technical Departments.
- (e) There is no need to have a generalist administrator between the technical man and the Minister. This layer confuses the issues.
- (f) The proposals of Heads of Departments involving financial commitments are scrutinised by the Finance Department, which should be a sufficient check on any tendency to be extravagant or indiscreet. Hence there is no need to have an Administrative Ministry.

- (g) There are Ministries and other organizations such as the Planning Commission in Government of India. All important policies are formulated by the Central Ministries and the Planning Commission. The existence of these bodies has narrowed the scope of the State Secretariat. The State Government Departments only execute the policies framed by the Centre.
- (h) Not all the Heads of Departments are technical men – some of them are generalists. If the generalist Head of the Department sends a proposal, there is no need for it to be scrutinised by another generalist in the Secretariat.
- (i) The attitude of the Secretariat is negative – it is fault-finding and is not positive.
- (j) The Secretariat is likened to the House of Lords in England. If it agrees with the Head of the Department, it is superfluous and if it disagrees, it is mischievous. In a vast majority of the cases it agrees with the Head of the Department by contributing nothing but delay.
- (k) The outlook of an officer will not change by the circumstance that he is functioning as a Head of the Department and it is difficult to believe that if he is given Secretariat status he will not conduct himself with that degree of detachment and objectivity which is needed.

Those who support the present arrangement contend that :

- (a) As far as possible, it is better to keep policy separate from execution. If the two are combined it leads to chaos and confusion.
- (b) The Minister is a lay-man. He has limited experience of administration. He has to give a considerable portion of his time to his party, to the legislature and to the public. The Minister, therefore, needs the assistance of an administrator “who can advise him in the formulation of policies on the basis of proposals made by a Head of the Department and to discover from time to time with what

fidelity and success the policy laid down is carried out".¹ He will act as "filter and funnel".

- (c) If a Head of the Department is also Secretary to Government, the latter would have to depend on the technical man for final advice in the shaping of policies. A specialist is preoccupied with a single problem or activity and is likely to press for its adoption, regardless of its administrative repercussions. Therefore, there is need for its scrutiny from the point of view of Government as a whole. This is the function of the Secretary, who is rightly designated as Secretary to Government.
- (d) The appointment of Heads of technical Departments as generalist officers results in a waste of technical experience without any compensatory advantages. They would be preoccupied with Secretariat work and tend to neglect field work.
- (e) If the Head of the Department is also the Secretariat Officer, there is little scope for the redressal of grievance, of citizens. The officer is both the prosecutor and the judge. Under the present arrangement, the Secretariat can hear appeals and redress grievances.
- (f) It is not safe to keep the executive head close to the political decision-making. A little distance from the latter is in the interest of clean administration. Hence the Secretariat acts as a shock-absorber.
- (g) In a parliamentary democracy some staff agency should look after the Press, the Legislature and the Parliamentary questions, etc. Only a full time staff agency can do it and this is done by the Secretariat.
- (h) On the analogy of the second chamber, it is pointed out that the relations between the Head of the Department and the Secretariat resemble those of Philip Drunk and Philip Sober.

1. Government of Bombay: Administration Enquiry Committee, Bombay, 1948, pp. 65-76.

There is much force in the arguments put forward by the opponents of the present system of separate existence of the Secretariat and the Departments. No clear line of demarcation between policy making and executive functions appears to exist and the Secretariat Departments have not in a few cases functioned like the Executive Departments. This has inevitably lowered the position and status of the Head of the Department. A study of the Secretariat files reveals that the present system is causing delays and there is overcentralisation in the Secretariat. It is also true that there is duplication of work in the Secretariat Departments. It is revealed by the case studies that very often the Secretariat noting is a mere reproduction of the proposal of the Head of the Department and does not look like policy noting. The case studies also reveal that the Secretariat raises queries because it has not understood the problems of the technical Departments. The other arguments are discussed elsewhere in the study. Suffice it to say, however, that these arguments do not altogether demolish the case for the existence of the Secretariat.

That the working of the present Secretariat is not as efficient as it should be is admitted by many expert Committees.¹ The question that one has to answer is whether these defects are such that they can be removed only by the abolition of the Secretariat; or, is there a need for the Secretariat with its existing defects rectified?

3. *Views of Expert Committees on this problem*

In a way this problem was there before Independence also. It has been examined by several Committees both before and after Independence.

(a) *Bengal Committee :*

In 1944-45, the Bengal Administration Enquiry Committee discussed this as part of State Administration.² It says that a matter which is somewhat puzzling to those accustomed to a different scheme of organization is the concept that obtains in India of dividing Govern-

1. See Report of the Administrative Reforms Committee Kerala 1958; A. D. Gorwala, *The Mysore Administration* 1958; Report of the Administrative Reforms Committee, Andhra Pradesh, 1960.

2. Govt. of Bengal, *Report of the Bengal Administration Enquiry Committee*, 1944-45.

mental activities into two almost water tight compartments – one compartment being those of “the provincial Government”, and the other and larger, not of Government, but of an agency “subordinate to Government”. Under this arrangement a Department which is well able to perform a particular duty cannot do so without first consulting the Ministry to which it is “attached” – “a process which makes, in certain cases, for friction and unnecessary delay”. This difficulty, says the Committee, is sometimes overcome by the artificial device of making the Head of the Department “a Secretary to Government”, whereupon he becomes immediately empowered to do things which previously he could only do after obtaining the approval of the Ministry to which he is “subordinate.” ¹

The Committee said that the relationship between a Ministry and its Departments should be redefined and the duties between them reallocated. The principles to be followed for the purpose are :—

- (a) The Ministry should be primarily responsible for policy and the Department for carrying the policy into effect. Broadly this has been the principle governing their relationships but the principle has with the passage of time been so overlaid by accretions as to be now largely obscured.
- (b) Nothing should be referred to a Ministry to which they are not in a position to contribute anything except delay.
- (c) The Ministry should undertake common services and “domestic house-keeping” for the Departments attached to it.
- (d) The Head of the Department should, subject to the rules governing the conditions of service and discipline of civil servants generally, be given the fullest practicable control over the staff under him.

Further clarifying the role of the Ministry and the Departments the Committee says that while the Ministry should be primarily responsible for advising the Minister on policy questions, this is not to say that the Head of the Department will have no right of or responsibility for, suggesting changes in policy to meet changing conditions.

Conversely, the Ministry cannot wash its hands off all responsibility for seeing that policy is carried out, for the authority to issue an order carries with it the responsibility of seeing that it is executed. The Bengal Committee gives a detailed list of functions of a Ministry and its Departments in accordance with the above principles.¹

Apart from this the Committee views that there is no need to make any radical changes in the Ministry and the Department. It is opposed to giving ex-officio status to the Head of the Department. However, it suggests certain changes in the procedure to eliminate delays which are discussed later in this study.

(b) *Bombay Committee*

The relationship between the Secretariat and the Head of the Department was examined by the Administrative Enquiry Committee, Bombay in 1948.² The Committee has very strongly supported the view that the Secretariat should be distinct from the office of the Head of the Department. It argues that the Head of the Department should not be given Secretariat status and "our opposition to it", says the Committee, "is based on principle, on fact, and on experience." The specialist is likely to develop a limited outlook and miss wood for the trees. The Committee quotes the following opinion of Ramsay Muir with approval: "When a body of able men spend the best part of their working lives in the services of a single department they are very apt to lose the sense of proportion, and to regard their own work, not as a part of a single great labour of national service but as an end in itself, of supreme importance". They are likely to be led away by a feeling of departmental loyalty which makes them either blind or tolerant to the defects of the Department. The Secretariat performs a useful function by scrutinising departmental proposals. In the Secretariat new aspects of a problem are pointed out and probable repercussions suggested which may not have occurred to the departmental officer. "It is impossible for the Head of a Department however experienced, to foresee in all cases how his scheme will impinge on Government's policy or affect other departments; and therefore, we feel that provided there is no unnecessary delay caused by inefficiency or overwork, the period devoted to scrutiny in the Secretariat is time well spent."³

1. Report of the Bengal Administration Enquiry Committee.

2. Government of Bombay; Report of the Bombay Administration Enquiry Committee, 1945, pp. 65-76.

3. Ibid.

The second important point made by the Bombay Committee is that the technical and professional officers should not be appointed as Secretaries. Such posts should be filled by the officers of Indian Civil or Administrative Service who have the background of general education and administrative experience.

Further the Committee suggested that the Public Works Department whose Head of the Department was also Secretary to the Government, should be brought into line with other Departments i. e. the Chief Engineer should not be the ex-officio Secretary to the Government. The Secretary in the Public Works Department should be drawn from the Indian Civil/Administrative Service.

Commenting on the relations between the Secretary and the Head of the Department, the Committee observes that executive functions should not be transacted in the Secretariat *ab initio* and that the technical advice tendered by the Head of a Department should not be questioned by the Secretary or his deputies on technical grounds. The Secretary should confine himself to a broad administrative scrutiny of the technical proposals of the Head of the Department and should not initiate schemes without consulting him. The Head of the Department has the right to demand that he should be consulted in all matters affecting his Department, but neither he nor the Secretary is entitled to claim that his advice in the field of policy should be acted upon. Both function as advisers to the Minister and to that extent their duties are complementary. The system can work successfully, only if they evince a desire to reach agreement and frequently resort to personal discussion to iron out their differences. In short, the Bombay Administration Reforms Committee strongly defended the separate existence of the Secretariat and the Offices of Heads of Departments.¹

(c) *Hyderabad Committee*

The problem of Secretariat and Heads of Departments was dealt with by the Economy Committee, Hyderabad in 1950 which was headed by Mr. A. D. Gorwala.² The Committee found that the Secretaries in Hyderabad, atleast in the past, have inclined to regard themselves as the cream of the official hierarchy. It observes that the real functions of the Secretary are little understood. The

1. Report of the Bombay Administration Enquiry Committee. *op. cit.*

2. Govt. of Hyderabad Report of the Economy Committee 1950.

Secretaries in Hyderabad, comments the Committee, have become accustomed to regard themselves as super Heads of Departments.¹ No proper allocation of powers of Heads of Departments have been made. Consequently, everything, except that which from its very nature cannot be referred upwards, is referred to the Secretary. The Committee opines that efficiency in administration is not possible unless the Secretariat divests itself of all work which is not legitimately its own and lets those whose duty it is to carry out policy, do it undeterred. For this, a good deal of decentralisation is necessary. The powers of all Heads of Departments must be laid down clearly. "Within those powers, each man should act on his own initiative, and should not make references to his superiors, unless there is some very special point which arises in a particular case and which he finds himself unable to deal with." Further, the Committee observes that one unfortunate effect of the Secretary's turning himself into a Super-Departmental Head has been that many Heads of Departments and their subordinate officers have lost the ability to take a decision themselves and to bear the blame if necessary. "The endeavour of some is to try and be safe all the time by referring quite unnecessary matters to the Secretariat."²

Referring to the technical men working as Secretaries in two large Departments, viz., Public Works and Medical and Public Health, the Committee says that it is hardly necessary to emphasise at this stage of development of Public Administration the necessity for general examination from the broad administrative aspect of technical projects, however distinguished the technical expert putting them forward. "In fact, it may be said that the more distinguished the technical expert, the greater the need for scrutiny of his proposals from the general point of view."³

On the relationship between a non-technical Secretary and a technical Head of a Department, the Committee comments that it is apt some times to present delicate problems of adjustment which need to be tackled with goodwill and in the right spirit. "A technical Head of a Department must never be made to feel that his advice does not reach Government in the form in which it should or is not being given the consideration it deserves, because of there being a

1. Ibid.

2. Ibid.

3. Ibid.

non-technical Secretary through whom the papers are put up.”¹ A wise Secretary will invariably see that the technical Head gets an opportunity to meet the Minister frequently so that the Minister is kept fully acquainted with the Department’s view on important matters. The Secretary will himself always take time to keep in touch with the technical Head, and will never hesitate to let him know the real reason for Government’s refusal to accept any particular proposal he may have put up. The technical Head, on his side, must have confidence in his Secretary’s fairmindedness and judgment and must not magnify or fret over honest differences of opinion. “Once a combination of this kind is established on a proper basis, its capacity for good work is more than doubled.”

Within the Secretariat, continues the Committee, there is desire not to take responsibility. The proportion of cases which reaches the Secretary is much larger. “The lower officers shudder at the idea of deciding. Perhaps they feel it might be regarded as presumption taking too much on one-self”. The remedy lies in issuing clear instructions in order that the Secretary may not be burdened with unnecessary work and the subordinates be saved avoidable work.

(d) *Kerala Committee*

In 1958, the Administrative Reforms Committee, Kerala discussed this problem in relation to political democracy and economic development.² The Committee finds that there is a general opinion that the Secretariat has become slow moving, leading to great delays. It points out that there is ample scope for speeding up the work in the Secretariat. It is, however, true that, as Government work involves public interests, detailed examination of the course of action to be taken is necessary. The actions of Government are also open to criticism by the Legislature and Audit as well as by the Press.

According to the Committee, causes for delay depend on the nature of work done in the Secretariat and how it is done. Referring to the ‘nature of work’ in the Secretariat, it says that considerable volume of Secretariat work is due to over-centralization, concern with detailed and minor matters, which should be disposed of at lower levels. The only remedy for this is wider delegation of powers to the

1. Report of the Economy Committee, Hyderabad. op. cit.

2. Government of Kerala, Report of the Administrative Reforms Committee, The Government Printing Press, pp. 82-89.

Heads of Departments who should be allowed to exercise the powers without interference.¹ Apart from this, there can be no great improvement in the despatch of business in the Secretariat until the work done there is reduced in volume and is restricted only to those purposes for which a Secretariat is intended. It agrees with the views expressed by the Administration Enquiry Committee, Bengal, that the Secretariat work should be confined to framing of policies, laying down rules and principles of procedure, financial control, general directions etc., and the Head of the Department for carrying out the policies into effect. This, however, does not mean that the Head of the Department will have no role in the framing of policies and the Secretariat will have no responsibility for seeing that the policies laid down are carried out.²

The Kerala Committee then proceeds to examine the relationship between the Secretariat and the Heads of the Departments. After dealing with the arguments for and against the combination of the functions of the Secretary and the Head of the Department, it says that "We have carefully considered the conditions prevailing here, and are of the view that it is not desirable to combine the functions of the Secretariat officers and Heads of Departments... .."³ The Committee concurs with the view of the Bombay Committee on the specialist's pre-occupation with a single problem or activity and the consequent need for scrutinising the proposals of the Heads of Departments from the point of view of the Government as a whole. This is the function of the Secretary. The appointment of Heads of Technical Departments as Secretariat officers would also result in waste of technical experience without compensatory advantages.

About the procedures of work in the Secretariat, the Kerala Committee's views are at variance with those of the Bengal Committee. The Bengal Committee's view was that the source of delay in the disposal of work was mainly the method by which the Head of the Department addressed Government in the form of a letter while initiating a proposal. It suggested that the Head of the Department should not address Government by a letter but should send his entire file to the Secretariat. In the Secretariat there should be no clerical

1. Report of the Administrative Reforms Committee, Kerala, op. cit., P. 82

2. Ibid. P. 83

3. Ibid. P. 86.

noting and the orders of the decision-taking authority will be passed on the file itself. The Kerala Committee finds this recommendation un-acceptable.¹ Instead it suggests that details of distribution of work from Assistant Secretaries onwards should be communicated to each Head of the Department. Depending upon the importance of the subject and on the delegation of powers to the Secretariat officers, the Head of the Department should send his proposal to Government, not in the form of a letter as at present, but in the form of a fully referenced note containing all relevant facts, precedents and reasons for and against. This note should be sent in duplicate to the officer who is competent to consider it, and it should be examined initially by the officer to whom it is so sent or by any higher officer. Any information called for or query raised will be communicated to the Head of the Department by copying it as such in the duplicate of the note, instead of in the form of a memorandum or a letter. The Head of the Department will give his reply also only in continuation of the note. After final orders are issued by Government the copy containing the remarks of the Secretariat and the original orders passed will be retained by Government as record and the other copy will be returned to the Head of the Department with the order of Government.

Finally, the Committee opines, that most of the defects attributed to the system are the result of failure to work it properly.²

(e) *Mysore Report*

Mr. A. D. Gorwala in his report on Mysore Administration³ touches upon some aspects of the Secretariat organization and working. On the problem of noting, he writes that Secretariat noting is responsible work and ought to be undertaken at a truly and responsible level.⁴ Noting by the First Division Assistant is not a satisfactory arrangement. Very few good notes are written by them in the Secretariat. "Mostly they are content to summarise the paper under consideration which being on the file could easily be read in any case.

1. Details of this are discussed later in the study.

2. Administrative Reforms Committee, Kerala, P-89.

3. A. D. Gorwala, the Mysore Administration: Some observations and recommendations, Bangalore. The Govt, Press 1958, pp-41-47.

4. Ibid, p-42

"In other words, they do not do the work for which they are intended. What they do is to impede the movement of the file by holding it up for several days while they are making up their minds as to what exactly to say in the unnecessary summary." All noting, he urged, should be begun at the Under Secretary's level, relevant papers being just collected and put up by the Second Division Clerks. A Section would thus consist of an Under Secretary with three or four Second Division Clerks. The Assistants and Superintendents would disappear¹

"Work in any Secretariat can never be efficient, if responsibility is not taken at every stage."² Experience has shown that in most Departments, at least 40 per cent of the work that comes to any Under Secretary can be dealt with by him finally. Of the 60 per cent that goes to the Deputy Secretary, another 40 per cent need not go beyond him, which leaves only 20 per cent for the Secretary. 'Of this a good Secretary will not find it necessary to trouble his Minister with more than 5 to 7 per cent The habit of wanting to see almost all files into which some Ministers and Secretaries fall, obsessed by their belief in their own capacity, cannot but be deplored. Such men need not be Secretaries and Deputy Secretaries, capable of applying their minds to and deciding cases, but mere amanuenses standing around to note with awe whatever falls from the master's lips. They destroy in their subordinates both initiative and desire to work. Few sights are more tragic than that of a good Secretary or Deputy Secretary in the grip of such a Minister or Secretary."³ These observations pin point the position arising out of the lack of delegation of authority within the Secretariat.

Mr. Gorwala also points out that the civil servants should not be kept continuously in the Secretariat for more than four years. Thereafter a change to the districts is advisable. This is necessary if the Secretariat officers are not to lose touch with reality and over-estimate the importance of paper work.⁴

The above summary shows that the various expert Committees on State Administrative systems recognise the importance of relationship between the Secretariat and the Heads of Departments. None

1. For details regarding the recruitment of Under Secretaries, See Ibid. P. 43.

2. Ibid. p. 45.

3. Ibid. p. 46.

4. Ibid p. 42.

of the above mentioned Committees questioned the utility of the separate existence of the Secretariat and the Offices of the Heads of Departments. They are also opposed to giving Secretariat status to the Head of the Department. Some of them go a step further and suggest that the posts of Secretaries should be filled by generalist officers and technical men should not be appointed to such posts. All the Committees want the present arrangement of Secretariat and Heads of Departments to continue with some minor changes in the structure and the procedures.

(f) *Andhra Pradesh Committee.*

A lone furrow has been ploughed by the Administrative Reforms Committee, Andhra Pradesh, in 1960.¹ The Committee points out that at present the Offices of the Heads of Departments and Secretariat Departments are treated as distinct units except in respect of Information and Public Relations Department.² The Head of the Department has no access to the files of the Secretariat. They function in water-tight compartments. The Heads of Departments submit their proposals to Government for orders.³

The examination of the proposals of a Head of the Department in the Secretariat commences quite often at the clerical level. The staff of the Secretariat at the lower levels who initially examine the proposals cannot be said to be, in any way, qualified to scrutinise critically the proposals of a Head of the Department. The proposals of the Heads of the Departments are based often on the proposals of the District and Regional Officers and are submitted to Government after thorough scrutiny. "If the proposals are subjected to a further scrutiny by persons who are not specially qualified to undertake this work, unnecessary duplication and delay are inevitable."

The view of some non-officials that the Secretariat may be abolished altogether and the Heads of the Departments may be made Secretaries to Government is unacceptable to the Committee. It also

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1. The Andhra Pradesh Government: Report of the Administrative Reforms Committee, Hyderabad, The Govt. Stamps Press, 1960. p p 9-13.
 2. This was the position when the report was published. Subsequently, the Director of Social Welfare and the Chief Engineer have been given ex-officio Secretariat status.
 3. Andhra Pradesh Administrative Reforms Committee, p. 9.

rejects the view that in the Secretariat the examination of the proposals sent by the Heads of Departments is done from "an aspect entirely different". It thinks that there is not much substance in the argument that the Head of the Department, in his enthusiasm for getting the proposal sanctioned, may some times present only one side of the picture and may endeavour to push it through. "These arguments ignore the important position of the Head of the Department in relation to his Department for the administration of which he is primarily responsible."¹ The Committee is of the opinion that both the Head of the Department and the Secretary should be able to place before the Government their points of view. The Committee further argues that in the context of Five Year Plans which have got to be executed year by year there is need to maintain continuous contact between the Head of the Department and the Minister and the Secretary. There is also need to expedite the sanction of schemes and staff necessary for their implementation and their periodical review.

Therefore, the Committee comes to the conclusion that the "merger of the Offices of the Heads of Departments with Secretariat in the phased programme.....is an inevitable and at the same time the only practical solution."² Since the reform is fundamental and far-reaching the change must be brought about gradually in three phases. During the first phase the Heads of the Departments may be given Secretariat status of Additional or Joint or Deputy Secretary depending on the rank and seniority of the officer concerned. In that capacity he should circulate certain categories of files direct to the Minister. The rest of the set-up will continue as at present in the Secretariat and in the Office of the Head of the Department. In the second phase, the work of the officers and the sections working in the Secretariat offices would be reallocated with a view to see that the scrutiny of any proposal is done only once, either in the Office of the Head of the Department or in the Secretariat Section.³ In the third phase, the two offices, viz. the Office of the Secretariat and of the Head of the Department, should be merged completely and accommodated in the same premises⁴.

1. Andhra Pradesh Administrative Reforms Committee, op. cit., P. 10.

2. Ibid. P. 11.

3. Ibid. P. 12.

4. Ibid. P. 13.

4. *Position in other countries*

With these different and differing view points in mind it is natural that an attempt, albeit cursory one, should be made to understand the situation in other, and particularly advanced, countries. After all problems of this nature are not peculiar to any one state in this country and a knowledge of the problem and its solution, if any, in other countries cannot but be useful. Even from a purely academic point of view such a study would be worthwhile.

In Europe the highest governmental administration is composed of Departments or Ministries. Each is under the personal leadership of a Minister and "all with the object of rendering him staff assistance.....".¹ At the same time an extensive amount of delegation takes place down the steps of internal hierarchy of the Department or the Ministry. A Government Department in Europe is so organised that the number of hierarchical levels is adjusted to the size of the organization and the hierarchical authority moves from the top of the pyramid through all the horizontal levels.² Although it is a staff unit, the Department does exercise an authority of its own. The Department issues general instructions to the subordinate services and acts as an appellate authority in cases which originally are decided by a subordinate body or local authority. There is in many European countries, writes Meyer, every reason to fear a concentration in the Government Departments, of cases which should be decided by subordinate services.³

In Britain the terminology is a little confusing. The Department is a technical term for the Ministries but the word does not appear in the name of any Ministry. It usually denotes an organization below the Ministerial level, e.g., the Industries and Manufacturers Department is a sub-division of the Board of Trade. A British Ministry may thus be composed of a number of Departments which actually are sub-departments, since the Department is the technical term for the Ministry as such. Some times the term division is used as the name of the primary division of a Ministry. Thus the Home Office is divided into a number of hierarchically equal divisions, some

1. Meyer, p. Administrative Organization, Steven and Sons. 1957 p. 120.

2. Ibid. 120.

3. Ibid. 124.

of which are called Departments—and some of which are called divisions. Commenting on this confusion Meyer writes that the British terminology does not apply any special term for a group of departments (or divisions) under the leadership of a single official—usually a Deputy Secretary. For example, the British Ministry of Agriculture is divided into three “Groups” of Departments each under a Deputy Secretary, and the “Groups” are divided into “Sub-Groups” each under an Under-Secretary. The Head of the Department/Division is an Assistant Secretary. The term “Offices” is used for the older British Ministries e. g. the Foreign Office, and “Ministries” is used for newer Ministries, e. g. the Ministry of Supply.

In Britain, a Ministry is directly under the control of a Minister, who is responsible to Parliament for the conduct of his Department. The Ministry is headed by a permanent Secretary who is in the highest grade of the Administrative class. There may, on occasion, be two Joint permanent Secretaries as at the Treasury at the present time. The permanent Secretary is generally assisted by Deputy Secretaries. On the next lower rung are several Under Secretaries, each controlling several Assistant Secretaries. Usually an Assistant Secretary is at the Head of a “Division”, consisting of a number of branches or sections each under a Principal or a Chief Executive Officer. This structure of “non-specialist” is combined in a great variety of ways with a hierarchy or hierarchies of specialists, so as “to form a mixed organisation in which specialists play a large part.....”¹.

Thus we see that within the Departments the general responsibility for management is in the hands of the Administrative Class. There are a limited number of important exceptions (the D. S. I. R. and to a certain extent—the Service Departments) but the main framework of all other Departments is that of the Administrative class Officers—permanent Secretaries, Deputy Secretaries, Under Secretaries. Scientists are generally organised in separate technical sections often looking to the Chief Scientific Officer as their lead within the Ministry. “The exact chain of command is not always easy to define,

1. Mackenzie and Grove, *Central Administration in Britain* Longmans, Green and Co., London, 1957..... p. 197.

and certainly, a leading scientific official would never be excluded from direct access to the Minister on grounds of hierarchical superiority of the Administrative class."¹

The following example of the Ministry of Agriculture, Fisheries & Food illustrates the organization of the British Ministry. The Ministry is of medium size. It is headed by one permanent Secretary, 4 Deputy Secretaries, 15 Under Secretaries, 36 Assistant Secretaries, 85 Principals and 17 Assistant Principals and an army of Executive class & Clerical class officers. The Ministry can be classified into self-contained Ministry Services, within the Department; Ministry Services outside the Departmental organization; minor Departments controlled by the Ministry or closely related to it; public Corporations etc. Of these only the first is relevant for the purposes of this report. There are four important Agricultural Services and a number of minor ones. The main services are: (a) Veterinary Service, (b) National Agricultural Advisory Service, (c) Agricultural Land Service, and (d) Agricultural Economics. Each is in charge of a major block, of work. For example, the Veterinary Service is like the Department of Animal Husbandry in Andhra Pradesh. The Veterinary Service is staffed by qualified Veterinary Surgeons and technical Assistants and has its own regional and divisional organization. The Animal Health Division acts as its lead Office. It manages a number of Veterinary Laboratories and a special Veterinary Investigating Service, which are primarily Disease Control Organizations.

The Chief of the Animal Health Organization is the Chief Veterinary Officer. There is a parallel general administrative staff to the Veterinary staff. An Assistant Secretary is the Head of the Animal Health Division so far as general administration is concerned. Any matters which are submitted by the Division for consideration by a higher authority are agreed upon in the division, in the first place between the Assistant Secretary and the Chief Veterinary Officer and then submitted by the Assistant Secretary through the Under Secretary, Deputy Secretary and Secretary to the Minister.

In France the supreme Governmental Administration is performed by the Ministries (les Ministries). Its main divisions are the directorates (les directions). They constitute the first level in the

1. Mackenzie and Grove, op. cit. P. 105.

internal hierarchy, whereas the Minister's Cabinet lies between the Directorates and the Minister. The Chief Cabinet corresponds to the British permanent Secretary and the Permanent Secretary in India. The Minister's Cabinet is concerned with current administration and is a proper level in the hierarchy, not only a personal office like the office of the British Minister, or a connecting staff unit like American Secretary's Office. ¹ The French Directorates are in their turn divided into sub-directorates which are divided into branches. The Bureau is the smallest unit of a French Ministry.

From the Indian Point of view the Organization of the Ministries in countries like Sweden is very interesting. "Sweden has the most advanced and complex system of public administration based on Ministries".² The Constitution specifies that there must not be less than eight departments of State whose Ministers form the nucleus of the Cabinet. The Ministries are very small some of them having no more than a dozen or so officials who are in effect the personal staff of the Minister.³ The reason for this is, writes Chapman, a pronounced dualism in the Swedish system of Government: the Political direction of the country is in the hands of the Cabinet assisted by the staffs of different Ministries: the bulk of administration is the responsibility of about six Royal Boards. Every Ministry has a number of the Royal Boards attached to it. Each Royal Board has its own statutory powers contained in its Letters of Instruction. These Instructions specify the work for which the Royal Board is to be responsible. They also lay down the size and extent of its administration, impose conditions to be observed in recruiting qualified members of its staff, define the responsibility of the various members of the Directing Board, and they nearly always make the Board responsible for following work in related fields in other countries.

The Royal Boards are very independent within the terms of their Instructions.⁴ The object of the Swedish system, writes C. H. Sisson,⁵ is to remove from the centre of Government most of

1. Meyer, op. cit. P. 196.

2. Chapman, Brian. *The Profession of Government*, Allen and Unwin London, 1959, P. 49.

3. Ibid P. 49.

4. Ibid P. 50.

5. Sisson, C. H. *The Spirit of British Administration*, Faber & Faber Ltd., London. 1959; PP. 101-103.

the details that ordinarily encumber such centres. The Swedish Ministries, unlike their British counterparts are in effect merely Secretariats gathered around their Ministers. "It looks as if the Swedish had succeeded in isolating the essential Ministerial function so that Ministers and senior officials could move in a luminous atmosphere in which issues of policy are uncomplicated by administrative details" ¹

The Boards are not mere subordinates of Ministers or even responsible to a Minister but are responsible to the Government as a whole. The Ministers "as a rule are not authorised to take individual administrative decisions." The opinion of a Royal Board is always sought before passing legislation affecting its field of activity. Its advice is given independently of the Ministry and may sometimes conflict with the Ministry's views.² Commenting on this, Sisson says: "It is a picture to delight any one fond enough to imagine that all the evils of the modern state some how stem from Ministries." ³

The organization of Governmental administration in the U. S. A. is quite different from what we have seen so far. The staff units are not in the regular hierarchy of line organizations. In fact it is quite alien to the American mind to mix the two units of organization.

The supreme division of the Federal Administration of the U. S. A. is the division into Departments.⁴ There is no common nomenclature for all the secondary levels of the U. S. Departments. Very often they are known as bureaus. The number of Government Departments established in that country is small. Therefore, "the several bureaus of the federal departments may be functionally compared to European Ministries." Several bureaus are sometimes grouped under an Administration or Service. There are several staff offices which are intersected between the Bureau and the Secretary. "These staff offices actually perform a good deal of the higher administrative supervisory and co-ordinating work which in Europe

1. Sisson op. cit, P. 102.

2. Chapman, op. cit. P. 50.

3. Sisson op. cit. P. 163.

4. The term Department in the U. S. A. is used to describe all the principal divisions. See Meyer, op. cit. PP. 194-196.

is performed by the Supreme Units of the Ministerial hierarchy." The staff units perform the Secretarial work and help the political master, the Secretary.

An American Federal Department is so organized that a connecting link is necessary (staff units, Secretary's Office, etc.) between the line and the political executive. Unlike in Europe and India there is a "gap" in the hierarchy which must be filled by non-hierarchical units.¹ Since the Departments in the U. S. are not well integrated special "connecting staff units" will be necessary to fill the gap in the hierarchy. "Such connecting units will tend to acquire an essential administrative authority and in this way they will transform themselves into new levels in the administrative hierarchy." The general view in the U. S. is against the tendency to entrust such staff units with administrative authority.

The Bureaus are headed by career officials in a majority of the cases. The Bureau head is the Director who is assisted by Deputies and other subordinate officers.

In Britain the Departments are better integrated and the line of command runs smoothly. There is no dichotomy between line and staff units. The Secretariat also performs several line functions. The tradition of generalist officer is strong and the technical man was not given his due place in administration for a long time.² But this position has been challenged by the specialists and in recent years some recognition has been given to them. However, the controversy of generalist versus specialist continues and it does not seem likely to end in the foreseeable future. There is not much scope, write Mackenzie and Grove, for relief in the suggestion that scientists should be transferred more freely to the Administrative class. "Active research scientists in their thirties do not wish to transfer in their forties: it is as a rule too late for them to learn the general work of the Administrative class in such a way as to hold their own with those who have grown up in that class."³

The Swedish system of Ministries and the Administrative Agencies is not unlike our arrangement of the Secretariat and Offices

1. Meyer op. cit. P. 120.

2. Kingsley, J Donald, Representative Bureaucracy, Ohio, 1944 pp. 174-181.

3. Mackenzie and Grove, op.cit.p. 601

of Heads of Departments. There is also a similarity between their Boards and our own autonomous Boards like the State Electricity Board. But the Swedish system has difficulties in actual working. The Boards/Agencies are dependent on the Ministries for their finance. The budget of the Board is presented to the Ministry which alone is authorised to present estimates to Parliament. This cannot say Chapman, be a source of disagreement and the budget may conceivably be used as an instrument for ministerial tutelage.¹ According to the Letters of Instruction the Ministry can give general directions to the Board. "Disagreements clearly arise from time to time, but these are for the most part settled through discussions between the Director General of the Board and the State Secretary at the Ministry."² A major disagreement between Board and Ministry could have political repercussions if differences are not smoothed over informally. If a Board feels strongly about a disagreement with its Ministry, it is not impossible for it discreetly to provoke a member of Parliament to ask questions. Sisson remarks: "To the student of Administration it looks like confusion and it may be added, the system does not appear to offer any great hope of effective public control."³

From the foregoing it will be seen that the problem which was posed earlier is not peculiar to India and her States. It has been found to exist in other modern Governments and each has set about resolving it in its own manner. It is neither practicable nor desirable that any country should incorporate another alien system in toto. Indeed in our country part of the trouble at least stems from the fact that we are operating within a framework and system devised by the British for their own purposes. In the present context, in hands other than those who contrived it, the results sought for are not being achieved. The solution for the malaise has to be sought for, after taking into account both the past and the present. To suggest scrapping of the system is to suggest inability to remedy it. It is like cutting off the head to cure the headache. It seems to us somewhat a counsel of despair to say that the two limbs of the administration should be grafted into one because they are not functioning satisfactorily when they are apart. If we can find a workable

1. Chapman, op. cit. pp. 50, 51.

2. Ibid-P. 31.

3. Sisson, op. cit., p. 103

solution on the present basis, there is no need to think of altering fundamentally the present structure. Let us, therefore examine the various suggestions.

5. *Examination of the solutions offered*

The solutions that have been offered are many and varied. An extreme suggestion made is that the Head of the Department should also be Secretary to the Minister. There is no need to have an intermediary between the Head of the Department and the Minister. It is argued that the Head of the Department being the person in charge of execution of programmes is in a better position to understand the problems. He is the wearer and he alone knows where the shoe is pinching. This arrangement would cut out delays and remove irritations. In a developing economy such as ours delay in the execution of programmes is ruinous.

This system was tried out in some States and given up after some time. In the erstwhile Hyderabad State the Director of Medical Services was ex-officio Secretary to the Government. The Chief Engineer also was ex-officio Secretary to Government. In the former Bombay State the Chief Engineers were Secretaries to Government. Even today in some States the Chief Engineers are given this ex-officio Status. Generally only the P. W. D. is chosen for this reform and not other Departments. Perhaps it is due to the fact that Chief Engineers are very senior officers; the P. W. D. work needs quick execution; and it is more technical in nature than the others. But, the rationale behind choosing the P. W. Department alone is not clear.

There are some inherent draw-backs in this system. The Head of the Department is a busy executive and if he is also a Secretariat officer he is likely to be compelled to neglect his executive work. Much of his time would be taken up in Secretariat consultations and meetings. It is argued that even under the present system the Head of the Department is very often consulted on important matters. Very often he is asked to go to the Secretariat and discuss with Secretariat officers and the Minister. A good deal of his time is being spent in "educating the Secretariat officers", who do not understand the subject matter. To the argument that executive work would be neglected if the Head of the Department is also the Secretary, it is pointed that it need not be so. Even if it is likely to happen arrangements could be made by giving him a senior assistant who will look

after routine administration. As Head of the Department, without being a Secretary to Government he is doing a lot of administrative work and taking part in the formulation of policy. Making him Secretary to the Government, it is contended, would mean converting the de facto situation into a de jure one. Even granting this for the sake of an argument, there is the risk involved in it. The Minister will have only one adviser who is also the Executive Officer. The Minister himself is rarely in a position to devote enough time to the details of policy matters in view of his other preoccupations. Because of this, to advise the Minister through a single channel is a practice fraught with dangers. As Appleby points out: "One of the important gains sought is that of providing Ministers with more varied subordinate view points—giving them more chance to understand, what the issues are, and what alternative action possibilities there are."¹ "We are emphatically of the opinion", says the Retrenchment Committee, Hyderabad, "that on principle no Head of Department should be allowed to act as Secretary to that Department. Such an arrangement, apart from the fact that it will handicap the Heads of Departments in the discharge of their executive duties due to paucity of time, will lead to many other complications as well."² Further the Ministers will be deprived of the opportunity of laying down fixed policies, independently of the departmental angle of vision or exercising due vigilance over the working of the Departments through the agency of a separate Secretary. In other words, the functions of Secretaries and Directors are quite distinct and apart in nature and the principle is applicable to all departments, whether technical or nontechnical."³

The second suggestion is slightly different from this. Instead of making the Head of Department a Secretary to Government, it is argued, he should be given a subordinate ex-officio Secretariat status—Joint Secretary or Deputy Secretary. The Head of the Department as Secretariat Officer will circulate certain routine and unimportant cases directly to the Minister. He would be under the control of the Secretary in all important policy matters. In the Maharashtra State, the Chief Engineers are ex-officio Joint Secretaries to Government and the Secretary is a generalist.

1. Appleby, P. H. *Public Administration for a Welfare State*, Asia Publishing House, 1961, P. 76.

2. Govt. of Hyderabad, Report of the Retrenchment Committee.

3. Ibid.

The advantages claimed for this system are the technical man has effective voice in policy making. The queries raised by Finance Department are answered quickly, without passing them on to the attached office as it happens in other Departments. The Chief Engineers of Maharashtra with whom the problem was discussed seem to be satisfied with the working of this system. They believe that in the present Maharashtra system there is not much scope for mutilating their schemes or raising ignorant queries. Here as in the case of the earlier suggestion one has to ponder over the fact whether the Head of Department as Secretariat officer would be able to do justice to both the functions. If the answer is in affirmative it means that either the Head of Department or Secretariat officer is underworked today. If it is not so, it is not clear how he can really do both jobs well. Under the second system although he is subordinate to the Secretary he can get many important things done without consulting the latter. Moreover, his executive work which is full time work would suffer. "There is, in our thinking, substance in the view that Chief Engineers and other Heads of Technical Departments are technical men whose knowledge and time should not be used for non-technical work."¹

The Heads of Departments working as ex-officio Joint Secretaries may create friction in the Secretariat office and may raise fresh issues. But there are a number of papers which could go direct for orders, to the Ministers without being noted upon in the Secretariat.¹ This noting can be eliminated but its details have to be worked out cautiously.

The third solution is that only the Head of the Department should be given Secretariat Status and not the entire staff of his Department. Under this arrangement there would be two types of staff—Secretariat staff and departmental staff. A proposal initiated in the Office of the Head of the Department would be sent to the Secretariat Section and after examination, go to the Head of the Department in his capacity as Secretariat officer. If the Secretariat Section raises any queries, the Head as Secretariat officer would answer them on the spot; at the same time, if they are important he would take them into account while taking a decision. As a Secretariat

1. The view was expressed by the Minister for Public Works before the Retrenchment and Reorganisation Committee, Madras—1946-48.

2. See for the views expressed by the Secretary to Government, Public Works Department, Madras, before the same Committee.

Officer he would know what other Secretariat Departments, such as the Finance think about his proposals. In Maharashtra the Dairy Development Commissioner's office is organized on the above lines. The Dairy Development Commissioner is a technical man and he is ex-officio Joint Secretary to the Government. He has two offices under him, Secretariat Section and the Head of the Department's Office. The Dairy Development Commissioner is assisted by an Additional Dairy Development Commissioner who is an I. A. S. officer. We understand that about 80% of the proposals are sent to the Secretariat by the Additional Dairy Development Commissioner and are not seen by Dairy Development Commissioner as the Department's Head. The Dairy Development Commissioner as Secretarial officer knows the working of the Secretariat mind and would act accordingly. At the same time he is in a position to see that just and reasonable schemes are not throttled.

In a way such a set-up exists in the Andhra Pradesh Government. In the Department of Information and Public Relations, the Director is also ex-officio Deputy Secretary to Government. Recently the Director of Social Welfare has been made ex-officio Deputy Secretary to Government. One Chief Engineer in the P. W. D. has also been made Additional Secretary to Government.

Here, the view appears to be that in large Departments, it is difficult to combine the two posts. It is feared that if it is done one of the functions is likely to be neglected. Though personal views are expressed on the working of this system only a thorough examination of its working would reveal the true results. (We have studied the files of Department of Information & Public Relations and the results are enumerated elsewhere in this report). This arrangement does not appear to have been made on the basis of any principle but only as a matter of expediency. If the arrangement is found satisfactory in such a large and technical Department as the P. W. D. there is no reason why other Departments should be deprived of this system.

One significant thing to be remembered here is that under this arrangement Secretariat scrutiny is not completely cut out. Only at the level of the Head of Department this is combined while the Subordinate offices act as two independent units.

In their anxiety to solve the problems, the supporters of the solution seem to forget the real issue. In a parliamentary democract

the Minister is the political Head of the Department. He is responsible to Parliament for the formulation of policies in his Department and for their efficient execution. Generally the Ministers are expected to formulate policies only and leave their execution to their permanent civil servants, although they take responsibility for execution also. This is a well accepted doctrine but in actual practice it does not work that way. As Robson points out: "In theory, Ministers decide policy and civil servants carry out their decisions. This is strictly true from a constitutional point, but in reality it is a conventional half truth. Ministers seldom have time, or knowledge and sometimes not the skill, to formulate policy unaided. They must rely on their senior officials for advice and still more for knowledge of the basic facts and figures on which policy must be based."¹ Perhaps there cannot be two opinions on the fact that all the top civil servants have a share in formulation of policy.

The question that arises here is about the nature of the advice to be given to the Minister. The advice he expects from his civil servants is with regard to the administrative feasibility of proposals. It helps him also to view them from the overall point of view of Government and the general public.

There is a difference of opinion among scholars and administrators about the qualifications of persons who should tender such advice. As we have already seen, in Britain, it is the generalist who performs this function; in the U. S. A., it is done by the specialist. On the basis of this, Wallace Sayre has worked out the following, formula² :—

In a law and order, revenue collecting, or colony-administering Government, the most useful hierarchy is: —

1. Political executives:

As sources of legitimacy, and as ratifiers or vetoers of proposals presented by

2 Administrative Generalists,

As formulators of proposals, agents of coordination, guardians of precedent and stability and

3. Specialists,

As assistants and advisers to the administrative generalists.

1. Robson, W. A. The Civil Service in Britain and France. Hogarth, London 1956, p. 8.

2. Sayre, W. S. Some problems of Public Administration in Developing Economy. Indian Journal of Public Administration, Vol. III, No. 2 1962, pp.149-52.

The main instruments of the "generalist" are "the rules" and "the files". Sayre quotes Phillip Woodruff's description of their function in India as follows ".....any proposal for change had to overcome a formidable series of hurdles—The office note usually suggested rejection, it was the safest course and the least trouble—The whole system was admirably devised for detecting unsoundness, but the last in the world to encourage a daring and statesmanlike experiment."¹

Obviously such a system is unsuitable to a developing country. In expanding Government, which is concerned with accelerating economic growth, which uses the public sector as a major lever to increase national resources and which aims at the equitable distribution of these added resources among the population, the most useful hierarchy is arranged as:—

1. The Political executives,

As formulators of proposals, agents of coordination and priority determination.

2. Specialist administrators,

As formulators of proposals, agents of programme performance, and

3. Management specialists,

As advisers on policy and procedural coordination, agents of managerial activity.

Appleby expresses contrary views. The need for generalist qualities and performance rises at each upward level in the bureaucratic hierarchy. "There should also be more recognition of the need ministers have for generalist type aides."² Any top civil service position requires so much of political competence (in a non-partisan sense) that any man in such a post who thinks of himself as an expert is already at a position higher than he is properly fitted to fill. At that level he should be—and should think himself to be—primarily an administrator and a public servant. Meyer expresses the same view more vigorously. "Technical experts are usually one sided."

1. Sayre, op. cit.

2. Appleby, op. cit. P. 56.

Owing to their whole education, they have been trained to see problems from one angle only. "Such one sidedness may be dangerous in public administration."¹ It is, therefore, generally believed that the more thoroughly professionalised a function is, the less administrative competence will be exhibited, and the more constant will be a stubborn parochialism.² Since the nature of advice to be given to the Minister is of non-technical nature, a generalist civil servant can perform the job well.

But there need not be a hard and fast rule and these posts should not be the preserve of any one class. A good high level administrator is always a rare bird and such rare birds are developed from many different sources. As the Second Pay Commission points out: "In a department which has considerable amount of technical as well as administrative work, the Secretary may be either a technical officer with proved administrative capacity, or a generalist administrator; technical officers should not be excluded from the field of choice on a prior consideration, but should be considered on merits."³ A technical officer with varied background also can do it. But the condition is that he should be trained as a generalist officer for this purpose. This arrangement clearly presupposes the existence of two sets of offices Secretariat and Executive Department.

Apart from this it is pointed out that technical men should have direct access to the Minister, and the Secretariat officers should not interpret the views of technical men to the Minister. It was pointed out in Britain by professional men that the principal professional officers "must be in direct line of responsibility to the Minister and there should not be any interpolation of another officer purporting to hold responsibility and to give advice when in fact he can become only a transmitter of the advice of others. Transmission of professional advice is full of danger when it is done by a non-professional person. It is also, and this is the primary point, a means of lowering the value and status of the professional person and thereby demeaning the whole profession and structure."⁴ On this point the

1. Meyer, op. cit., P. 136

2. Appleby, op. cit., P. 57

3. Ministry of Finance, Govt. of India—Commission of Enquiry on Emoluments and Conditions of Service of Central Govt. Employees—1957—59 P. 111.

4. Quoted in H. R. G. Greave's article in W. A. Robsoned. The Civil Service in Britain and France, op. cit., P. 102.

technical men are in a minority. Opinions of several distinguished writers and men are against the practice of giving the final voice to the technical men in policy matters. Lord Salisbury, Secretary of State for India, wrote to Lord Lytton in 1877, "No lesson seems to be so deeply inculcated by the experience of life as that you never should trust experts. If you believe the soldiers, nothing is safe. They are required to have their strong wine diluted by a very large admixture of insipid commonsense." The case really rests, writes Greaves, on a mistaken view of the functions of the permanent and political Head of a Department. Those of the former are to be general Manager of his Department. Though he is subject to the decision of the Minister, it is his duty to run the Department, to canalise all its activities, to have ready at any and every moment a recommendation on any and every issue of policy. The final decision, it is true, is the Minister's, but so is his decision how and when to intervene in the offices of the Department, it being his business to "see that it is run" in accordance with the policy of the Government as a whole of which he is a member with responsibility wider than those of his department.¹

But the role of the technical man in the shaping of policies should be recognised and he should be encouraged to take active part in it. ".....The top technical advisers or Heads of Departments should have full opportunity to have their views considered by the Minister along with any views which the Secretary of the Department may have....."² The basic idea governing the relationship between the two must be the recognition that the former should have an effective share in the framing of policies and programmes at the highest official level. Thus the relationship between the Secretary and the Head of the Department is essentially a partnership.³ It is said that permanent Secretary is like the conductor of the orchestra but the analogy is not wholly gratifying, for John Stuart Mill objected to conductors on the ground that they enjoyed despotic powers. "In fact, it seems to me" says Dunnett, "that the relationship is essentially one of trust and mutual respect between the various parties concerned."⁴ The Secretaries should be valued on three principal points: (1) Frank and independent advice in the first instance;

1. Greaves—H. R. G. op. cit. p. 20.

2. Second Pay Commission, op. cit. 111.

3. James Dunnett, The Civil Service Administrator and the Expert, a lecture delivered at the Royal Institute of Public Administration, London, 1961.

4. Ibid.

(2) facilitation of opportunities for others to get before the Minister views different from those of the Secretary's; and (3) careful maintenance in all important matters of written records showing clearly who recommended what and what decisions were made.

6. An approach to the problem

If the Secretariat is divested of routine and detailed administrative matters, it can concentrate on important policy matters—both short term and long term. The Secretariat should also resist the temptation of interfering in the day to day administrative matters. It should encourage the habit of exercising authority at the appropriate levels.

A clear definition of what constitutes 'policy' is essential. The sanctioning of money for repairs to a Departmental vehicle or the purchase of tyres for it, is referred to the Secretariat, making it a policy matter. In such things the Department could perhaps directly deal with the Finance Department. In fact, the Secretariat should act like a thinking machine or a "brains trust" for the political head. To do this, the Secretariat should be manned by senior, experienced, intelligent and imaginative officers. The present habit of making the Upper Division Clerk, all too often think for the officers is highly dangerous and unhealthy. "The rule always in the Secretariat is: 'send the papers or file to the lowest-man; he would examine it and then put it up.'"¹ This makes the officers accept ready made solutions. This habit can be avoided only when officers are compelled to think and act. The Secretariat should be so arranged for the purpose, that it becomes "top heavy". It is intended to make policy and policies can be made only at responsible levels at which outlook is wider.

Only by reducing the number of levels, can the level of noting in the Secretariat be raised and when this is done delays would be reduced and decisions expedited. When the number of levels are reduced, the Secretariat should consist of Secretary, Joint/Deputy Secretary, Assistant Secretary and stenographers In Bihar they have introduced such a system. The Secretariat consists only of officers who are given

1. Estimates Committee Second Report. Reorganisation of the Secretary and Departments of Government of India, Parliament Secretariat, New Delhi—1951. P. 9

some stenographers as personal assistants and it has no 'office' of its own. The Head of the Department sends his proposals to Assistant/Deputy/Secretary depending upon the nature of the case. The officer to whom the file is sent starts his comments on the file itself. If any additional information is required he either sends for the section staff or raises a query on the file itself. Since most offices of Heads of Departments and Secretariat Departments are located in the same building the system is working satisfactorily. We have it on the authority of some officers working in the Bihar administration that this is much better than the old system. The Head of the Department, though not given Secretariat status, sits in the Secretariat and this makes it easier for discussions and consultations.

The Secretariat should, therefore, be a very small organization consisting of "top level" officers. Then alone it can work as a true policy making body. "The proposals made by an officer of a subordinate department or a ministry must be attended to by an officer of equivalent or higher rank in the receiving ministry and should be disposed without their being sent through the mill of Assistant to Secretary forward and backwards."¹

These hierarchical levels in the Government should correspond to the various aspects of the cases. There are three stages in the disposal of any case.² The first stage in any case is what may be called the preparation of the case. This would consist of the mechanical collection of previous references, etc. This has to be done in the sections of the Heads of Departments; these sections would be common to both the Head of the Department and the Secretariat as discussed later in this Report. The second stage would be the "processing" of the case which would mean the presentation of the facts of the case and of the formulation of the issues involved. This is the function of the Assistant Secretary. The third stage would be the decision making stage where the relevant rules and precedents would be applied to the issues raised and a decision arrived at.

1. Estimates Committee, Second Report, 1950-51. Reorganisation of the Secretariat and Departments of Government of India, P. 11.

2. Vithal, B.R.R., unpublished paper on Administrative Reforms.

We have discussed elsewhere preparation and processing and delays at lower levels. Delays occur at the decision making levels also—Deputy and Joint Secretary, Secretary and Minister. It does not need special mention that very few cases should go to the Minister. Only matters of great importance should be sent up to the Minister. Ministers being busy politicians will not have sufficient time to attend to them and if all papers have to go to them delay cannot be avoided. Most of the work should be distributed between the Secretary and Deputy Secretary. The Deputy and Joint Secretaries should relieve the Secretary and take decisions on all minor policy issues. The Deputy Secretary should be a real 'Deputy' to the Secretary and not another level between the Assistant Secretary and Secretary. In such a case he becomes nothing more than a glorified Assistant Secretary. As the Estimates Committee points out: Unless our administrative machinery is competent in discharging its functions at the maximum speed and minimum of cost it is difficult to solve our many ills that confront us and stare us in the face. The intention is that each officer in the chain should dispose of as much work as possible himself and not merely supervise or approve the work of his juniors.¹ This arrangement would encourage original noting at the respective levels.

Changes in the procedure are also necessary to make the system work smoothly. In this connection, the procedure suggested by the Bengal Administration Enquiry Committee to eliminate delays is worth-mentioning. The Committee suggested that though the Head of the Department and the Secretariat may have their different functions, the procedure followed in the Secretariat was capable of much simplification and acceleration. It pointed out that the source of delay was mainly the method by which the Head of the Department addressed Government in the form of a letter while initiating a proposal. The Committee suggested that the Head of the Department should not address Government by a letter but should send his entire file to the Secretariat. The proposals originating in the Department should be prepared in such a form as to show all relevant facts, precedents and records for and against. In the Secretariat there should be no clerical noting whatever and only officers should write on this file. The orders of the decision taking authority will be passed

1. Estimates Committee, op. cit., p. 10.

on the file itself. The files which originate in the Secretariat will also be marked direct to the Head of the Department for his remarks. The important advantage claimed for this procedure are : speed, a greater understanding of the Government's policy by the Heads of Departments and by Government of their executive problems, cutting down the unnecessary dilatory work and therefore economy. These recommendations were not put into effect in Bengal but were introduced in Bihar and Uttar Pradesh. In U. P. the Heads of the Departments send their files to the Secretariat officers on all matters, excepting those relating to establishment and departmental enquiries.

The Kerala Administration Reforms Committee considered the applicability of this recommendation to Kerala State and rejected it on the ground that "it would place a great responsibility on the offices of the Heads of the Departments". The organisation of the offices of the Heads of Departments for the most part is unsatisfactory, records are not properly kept and the office routine and procedures cannot be said to be suited to the work which these offices will have to do if the entire secretariat work is to be done by them. The Committee opined that such attempts will result in "near chaos or all round inefficiency."

The arguments put forward by the Kerala Administrative Reforms Committee Report against the acceptance of the Bengal Committee's suggestions are not very convincing. This view is the outcome of the thinking that the offices of Heads of Departments are ill equipped or the Secretariat consists of all wise men. There is also the feeling that the office of the Head of the Department is somehow different from the Secretariat and these are two different types of agencies. On this assumption it is said that the remarks of the Secretariat officers on the file should not be known to the Heads of the Departments. If the Secretariat comments are shown to the Heads of the Departments, the Secretariat officers would not express their views freely and independently. This kind of thinking is blind to the fact that Secretariat Departments and Heads of Departments are two limbs of the same body, the latter are as much a part of a Government as the former. It is also forgotten that if the comments of the Secretariat Officers are not shown to the Heads of the Departments, the former would tend to be irresponsible in their comments.

The Bengal Committee's view is sound for two reasons: (a) If queries are raised on the proposal of the Head of the Department, they would be answered by the Head of the Department himself, there is no need to spend any time by sending memoranda by the Administrative Department. No interpretation of the queries is needed. (b) There would be enormous amount of saving in time because the file would be sent unofficially (U. O.) to and from the Head of the Department. This procedure, with the suggestions made earlier, would improve the speed of the working of Departments.

Another point which deserves consideration in this connection is that of the location of the offices of Heads of the Departments. Many of the existing difficulties of the Heads of Departments arise out of the fact that their officers are at a distance from the Secretariat and direct access either to the Secretary or the Minister involves time and trouble. The British practice of locating Executive Departments inside the Ministry and not outside as in the Andhra Pradesh, whilst keeping the Secretariat and executive factors apart, has much to commend itself. Many problems regarding discussion with Secretariat officers, etc., would be solved if the Executive Department is located in Ministry itself. This would facilitate the correspondence and movement of files between Heads of the Departments and the Secretariat Departments. The Madras Retrenchment and Re-organization Committee held the same view: "If the Secretariat and the Offices of the Heads of Departments are located in the same building or near each other much of the intermediate correspondence can be largely obviated." ¹ As we have seen earlier this has been done in Bihar. There is the problem of accommodation but strictly from the theoretical point of view it is sound.

It is also necessary to define clearly the roles, powers, functions and responsibilities of the Secretariat and the Offices of Heads of Departments. As pointed out earlier what constitutes policy should be worked out in detail and only those which have a bearing on policy should go to the Secretariat. There is need for more delegation of powers to the Heads of Departments. Their powers should be commensurate with their functions and responsibilities. Therefore, it is imperative that not only should more powers be given to the Heads of Departments but their details should be worked out for each

1. Govt. of Madras: Report of the Madras Retrenchment and Reorganisation Committee: 1946-48.

Department. In certain respects they could be given powers which some autonomous bodies like the Road Transport Corporation or the Electricity Board are given. In the exercise of these powers they should be made fully accountable.

Our study reveals that in the relationship between the Secretariat and the Heads of the Departments, the Finance Department has a major role to play. It is, therefore necessary that the position of the Finance Department vis-a-vis other Departments should be clarified. There are instances where this Department takes interest even in matters such as the painting a departmental vehicle or the purchase of spare tyres. It is for consideration whether the Finance Department is not frittering away its energies in such minor details without contributing materially to the efficiency in Administration. In recent years the system of Financial Advisers has been introduced. It is their duty to advise their respective Administrative Departments. But a study of the files reveals that they function almost exactly like the regular Deputy Secretaries in the Finance Department. Two changes seem desirable in this respect. At present the Financial Advisers work under the administrative control of the Finance Secretary. Their contacts with the Administrative Departments are largely as outsiders and they tend to be advisers without responsibility and without inside knowledge of the working of the Department. In Britain the Secretary of a Department is the Accounting officer of the Department and the Financial Adviser works under him. It is desirable to place the Financial Adviser under the Secretary of the Administrative Department, but the latter should be made responsible for all financial transactions in his Department. This will contribute to integration of administration and the fixing of responsibility in the functioning of the Departments. At present it is difficult to fix responsibility clearly. Secondly, the Financial Adviser should be associated with the preparation of the Departmental budgets from a very early stage. His association with the preparation of Departmental budgets from the earliest stage will give less scope for subsequent changes in them. The Financial Advisers should also make visits to the field offices and appraise themselves of the financial problems. It is necessary to take all precaution before the departmental budgets are approved and there should be a more rigorous pre-budget scrutiny. Once the budget is approved, the Administrative Department/Head of the Department should be given maximum freedom to work within the limits of the

approved estimates. The present practice of post-budget scrutiny of schemes is unsystematic and leads often to unpredictable results.

For the proper functioning of the Finance Department also certain norms should be laid down. Whether the Finance Department should go into the merits of a case when both the Administrative Department and the Technical Department have approved it, as it happened in the Printing of Andhra Pradesh Journal, is a matter worth further examination. In all such cases certain norms should be laid down and they should become touch stones for testing the advise of Finance Department. In their absence it is like groping in the darkness, not knowing the exact principles.



SUMMARY OF RECOMMENDATIONS

1. The top Secretariat posts should not be confined to any one class of the civil service; the technical officers should not be excluded from the field of recruitment for Secretariat posts.
2. The role of the technical man in the shaping of policies should be recognised and they should be encouraged to take active part in it.
3. The Secretariat should be divested of routine work and administrative details. It should concentrate on important policy matters only.
4. A clear definition of what constitutes 'policy' is essential.
5. The Secretariat should consist only of top level officers.
6. The number of levels in the Secretariat organization should be reduced to improve the level of noting. It should consist only of Secretary, Joint/Deputy, Assistant Secretaries and Stenographers.
7. The Head of the Department should send his proposals direct to the Secretary/Deputy Secretary/Assistant Secretaries depending upon the nature of the cases.
8. The Offices of the Heads of the Departments and the Secretariat Departments should be located in the same building.
9. Each officer in the chain should dispose of as much work as possible.
10. The Head of the Department should not address the Government directly (by a letter) but should send his entire file to the Secretariat.
11. There is need for more delegation of powers to the Heads of Departments and in the exercise of these powers they should be made fully accountable.

12. The position of the Finance Department vis-a-vis other Departments should be examined.
13. It is desirable to place the Financial Adviser under the Secretary of the Administrative Department and the latter should be made responsible for all financial transactions in his Department.
14. The Financial Adviser should be associated with the preparation of Departmental budgets from a very early stage. He should make visits to field offices and appraise himself of the field financial problems.
15. There should be more rigorous pre-budget scrutiny of Departmental budgets but once they are approved, the Departments should be given maximum freedom to work within the limits.
16. For the better functioning of the Finance Department, certain norms should be laid down.

PART II

CASE STUDIES

Twelve cases are presented here in detail as they existed in the files of the Departments and the Secretariat. They are presented in the chronological order. The other cases are given in tabular form.

Factual Background to the cases

The usual procedure in the relationship between the Head of the Department and the Secretariat is that the former sends his proposal in the form of a letter to the latter. In the Secretariat there is distribution of work among officers according to the office order (see Appendix VII) and orders are passed. The sections help the officers in collecting references, precedents, etc.

The background information needed for understanding the cases is given in the following pages.

Secretariat Departments

General Administration Department

The General Administration Department is concerned with wide and varied subjects. Its political head is the Chief Minister. The permanent head of the G. A. D. is the Chief Secretary. He is assisted by Joint/Deputy and Assistant Secretaries.

The State subjects dealt with by this Department are: A India Services, Elections to State Legislature, Government Servants' Conduct Rules, Internal Security, Corruption, Public Services, General Rules for the State and Subordinate Services—Recruitment, Classification, Control, etc. The Union subjects dealt with in it are Census, Ceremonials, Conduct of Elections to Parliament, External Affairs etc

The Department of Information and Public Relations is a part of this Department.

In matters like recruitment, discipline and service conditions, other Departments consult the General Administration Department.

Finance Department

The Finance Department is headed by Finance Minister who is a member of the Cabinet. The permanent head of the Department is the Finance Secretary. He is assisted by Deputy and Assistant Secretaries.

There are Financial Advisers for the Development Departments such as Agriculture, Industries, etc. They are of the status of Deputy Secretaries and function as a part of the Finance Department. Each development Department deals with its Financial Adviser in all financial matters.

The Finance Department is consulted before the orders are issued on all proposals which affect the finances of the State and in particular

- (a) Proposals to add any post or abolish any post from the public service or to vary the emoluments of any posts.
- (b) Proposals to sanction an allowance or special or personal pay for any post or class of posts or to any servant of the Government of the State.
- (c) Proposals involving abandonment of revenue or involving an expenditure for which no provision has been made in the Appropriation Act.

The views of the Finance Department are brought to the permanent record of the Department to which the case belongs and forms part of the case. The Finance Department may, by general or special order, prescribe cases in which its assent may be presumed to have been given. The Finance Department may make rules to govern financial procedures in general in all Departments and to regulate the business of the Finance Department and the dealings of other Departments with it.

Another main function of the Finance Department is the preparation of budget. The budgets of all the Departments are

consolidated in the Finance Department and presented to the Legislature.

The powers and responsibilities of the Finance Department are:—

- (a) It is responsible for the safety and proper employment of all funds;
- (b) Giving advice on all the financial aspects of all transactions relating to loans granted by the Government;
- (c) It has the power to prescribe for the guidance of other departments, financial rules and to enquire that suitable accounts including commercial accounts, wherever necessary, are maintained by other departments;
- (d) In connection with the annual financial statement and supplementary statements of expenditure, it has the power to prescribe the units of appropriation to require the departments to furnish materials on which to base the estimates and to examine and advise on all schemes of new expenditure for which it is proposed to make provision in the estimates and to decline to provide in the estimates for any scheme which has not been so examined;
- (e) To bring to the notice of the committee on public accounts all expenditure which has not been duly authorised and any financial irregularities;
- (f) It advises the departments responsible for the collection of revenue regarding the progress of collection and the methods of collection employed;
- (g) It has the power to decide to what extent in particular departments the audit of receipts should be enforced.

Industries Department

The Industries Department is another major Department in the Andhra Pradesh Secretariat. The Department is in charge of cottage and village industries, government press, industrial co-operatives, mines and oil fields and development of mineral resources, state aid to industries etc.

It is the Administrative Department of Directorate of Industries and Commerce, State Financial Corporation, and Directorate of Mines. The Industries Department looks after the work of all the above mentioned Directorates in the Secretariat.

The permanent Head of the Department is the Secretary who is assisted by Deputy and Assistant Secretaries. The distribution of work in the Department is done by an office order.

Agriculture Department

The Agriculture Department is one of the largest Departments of the Secretariat. In an agricultural state such as Andhra Pradesh the Agriculture Department has an important role to play.

The Department consists of two main units – food and agriculture. Under food, it deals with food production, crop competitions, procurement and distribution of paddy and rice etc. Under agriculture there is a variety of subjects dealt with by this Department, e. g., animal husbandry including veterinary education, co-operative societies, forests, fisheries, soil conservation, marketing etc.

The Agriculture Department is the Administrative Department of the Directorate of Agriculture, Directorate of Animal Husbandry Directorate of Fisheries, Co-operative Department, and Forest Department. The work of all these Directorates/Departments in the Secretariat is looked after by this Department (Agriculture Department). Its permanent head is a Secretary who is assisted by a Joint Secretary, Deputy and Assistant Secretaries. Its organisation chart is given in appendix IV; the distribution of work in the Department is shown in Appendix VI.

Executive Departments

Industries and Commerce Department

Almost all the industrial and commercial activities of the state government are in the charge of Industries and Commerce Department. It looks after large scale, small scale and cottage industries in the state. In addition, it is running some commercial concerns and organises industrial co-operatives.

The Head of the Department is the Director who is assisted by Joint, Deputy and Assistant Directors. In each district there is one Assistant Director of Industries and Commerce. In addition to this there are Field Officers and Technical Officers.

The Director is an I. A. S. officer. There is in the Secretariat an Industries Department which is its Administrative Department.

Co-operative Department

The co-operative activities in the state are looked after by this Department. In recent years, with the expansion of field of co-operative movement, the Department has been gaining much importance.

The Head of this Department is designated as Registrar. He is a technical man¹ and is assisted by Joint and Deputy Registrars. The Joint Registrars are vested with all the powers of the Registrar under the Co-operative Societies Act and they work on a functional² basis in charge of specific branches of work with jurisdiction throughout the state. Under them there are sub-Registrars, Senior Inspectors and Junior Inspectors.

In the Secretariat, its Administrative Department is the Agriculture Department.

Animal Husbandry Department

This Department is in charge of various activities connected with cattle, sheep, poultry development and also the veterinary aid.

The Director who is the Head of the Department is a technical man.³ He is assisted by Joint, Deputy and Asst. Directors. Some of these officers work on functional basis each in charge of specific branches on the technical side, with the jurisdiction throughout the state. In the Department there are certain special posts like Dairy Development Officers, Live Stock Development Officers, Principals of Veterinary Colleges etc.

The Agriculture Department of the Secretariat is the Administrative Department of Animal Husbandry Department.

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1. Recently an I. A. S. officer has been appointed as Registrar, Co-operative Societies.
 2. Some Joint Registrars have been given territorial jurisdiction recently.
 3. For some time it was headed by an I. A. S. officer.

Fisheries Department

Prior to 1959 the Fisheries Department had no separate existence and was under the control of Director of Animal Husbandry. It was separated from the latter to give due attention to the development of Fisheries.

The Department is headed by a Director, Deputy and Assistant Directors. In the Telangana region there is one Asst. Director of Fisheries in each district. In the Andhra area there are four Regional Assistant Directors of Fisheries looking after eleven districts.

There is a Fisheries Training Institute at Kakinada to impart training to departmental candidates and also fishermen.

The Department was headed by a technical person. Its present head is an I. A. S. officer. Its Administrative Department in the Secretariat is the Agriculture Department.

Forest Department

The Forest Department is one of the important Departments of State Government. The Department is responsible for implementing the policies of the government with regard to regeneration and protection of forests.

The Head of the Department is the Chief Conservator of Forests. He is assisted by Assistant Chief Conservators of Forests and other specialist officers at the head-quarters. For purposes of territorial administration of the Department, the state is divided into circles and divisions. These circles are headed by Circle Officers who are called Conservators of Forests.

At the time of our study, the Department was headed by an I. A. S. officer. Recently a technical person has been made its head.

In the Secretariat its Administrative Department is the Agriculture Department.

Information and Public Relations Department

Public relations has become an important aspect of public administration in the modern state. It performs the two-fold task of informing the public of the policies, achievements and future prog-

grammes of the Government on the one hand and on the other, of informing the Government of the popular reaction to its policies and programmes.¹

The functions of the Department are broadly as follows :—

- (a) Publicity of Government's activities through the media of mass communication like the Press, Radio, Exhibition etc.
- (b) Conveying to the Government of popular reaction to official policies.
- (c) Community listening—installation and maintenance of community listening sets.
- (d) Public relations work – personal contacts and protocol.
- (e) Magazines and ad-hoc publications, and
- (f) Tourism.

In the former Hyderabad State there was a Department of publicity and the erstwhile Andhra State had a publicity section in the Home Department. In 1956 these two were merged and the Department of Information and Public Relations was constituted. The Department has about 70 gazetted and 66 non-gazetted staff.

One important feature of the Department is that its head, who is an I A. S. officer, is also ex-officio Deputy Secretary to Government. He has one Secretariat section under him headed by an Assistant Secretary. This section helps him to function as Dy. Secretary. The staff of the Department consists of Deputy Directors, Radio Engineer, Asst. Directors, District Public Relations Officers and other technical and non-technical staff.

The Director who is also Dy. Secretary can circulate files to the Minister concerned direct.

1. Govt. of Andhra Pradesh, Department of Information and Public Relations 1962-63, report, Govt. Central Press Hyderabad, 1963-p. 1



FUNCTIONS OF THE SECRETARIAT OFFICERS AS LAID DOWN IN THE ANDHRA PRADESH SECRETARIAT MANUAL AND BUSINESS RULES AND SECRETARIAT INSTRUCTIONS

1. *The Ministers* :- The Minister is the political Head of the Department. The allocation of the business of the Government among Ministers is made by the Governor on the advice of the Chief Minister. Each Minister disposes of business in the subjects in his charge according to those rules and instructions. Each Minister by means of standing orders arranges with the Secretary of the Department what matters are to be brought to his personal notice and what can be disposed of without reference to him. After a week is over, the Secretary submits to the concerned Minister or Ministers a statement showing particulars of cases, other than routine cases disposed of in the Department by the Secretary and other officers subordinate to him during the week.

A Minister may send for any paper from any Department for his information and may record his views on the case. Where two or more Ministers concerned with a subject express different views, the case is discussed at a conference. If there is no agreement it is submitted to the Chief Minister for orders whether it should be placed before the Council of Ministers.

2. *The Chief Secretary* :- He is the head of the Civil Service in the State and also Secretary to the Cabinet. Besides his general function he is the head of General Administration Department and functions as a Secretary.

3. *The Secretaries* :- Each department of the Secretariat is headed by a Secretary. He is the official head of that department. He is a Secretary to Government and not to the Minister in charge of the department. It is the duty of the Secretary to see that the policy of the Government in the department with which he is concerned is carried out. The Secretary has the right to tender the necessary advice to the Minister before the Minister passes final orders on a case. It is the duty of the Secretary to draw the attention of the Minister to the fact that any proposed course of action is contrary to the provisions of any rule or law or at variance with the previous policy adopted by Government.

The Secretary exercises general supervision and control over the staff under him and is responsible for seeing that the members of the staff do the work allotted to them efficiently and expeditiously. It is his duty to take steps for the prompt despatch of business in his department. He is responsible for the careful observance of the Business Rules and Secretariat Instructions in the transaction of business in his department.

4. *The Joint Secretary or the Additional Secretary :-* They occupy position identical with that of a Secretary in regard to subjects allotted to them. The Secretary is in general charge of the whole department.

5. *The Deputy Secretary :-* In each Department there are Deputy Secretaries to help the Secretaries. The Deputy Secretary occupies a position almost identical with that of the Secretary in regard to subjects allotted to him and can send cases for orders direct to the Minister or to the Governor. In some matters he exercises functions of an Under Secretary. The Secretary of the department however, remains responsible for the subjects allotted to the Deputy Secretary. The latter consults the Secretary on cases dealing with important questions of principle or any other cases which he considers to be of special importance.

6. *The Under/Assistant Secretary :-* He exercises control over the sections placed in his charge both in regard to despatch of business and it is his duty to see that instructions are carried out and that papers are properly handled. He checks delay, superfluous noting and prolixity of language and enforces the rigid observance of all rules in regard to citation of precedents and authorities, referencing etc.

In accordance with the instructions of the Secretary and the recognised practice, he may pass final orders approving proposals which are of a routine nature on which require only the formal sanction of Government. In other cases he will see that the points on which orders are required are clearly and concisely set forth, and will ordinarily express his own views on them; when orders are passed, he should see that they are conveyed accurately and clearly. On a case of a complicated nature noting and drafting should be done by the Under Secretary or Assistant Secretary as the case may be.

8. *The Superintendent* :- The Superintendent is in charge of a section of a Secretariat department. He is assisted by a number of clerks. He is responsible for all files relating to the subjects allotted to the clerks under him. He is directly responsible to the officers under whom he works for the efficient and expeditious despatch of business in all stages in his section. The training of clerks under him is one of his principal functions. He is responsible for the accuracy of the notes and drafts proceeding from his section, he cannot throw that responsibility on his clerks. The Superintendent is not expected to express views or to suggest what orders should be passed on a case except when there is a clear precedent or the case is of a routine nature on the orders necessarily follow from some provision of the law or rule.

He sees that his clerks exercise proper selection of their work and that really emergent matters are given immediate attention. He should check correctness of facts stated in any note or draft which may have been added to the file after it was submitted for orders as soon as it returns to the section and before the draft is issued and the case is passed on to another department. He maintains discipline in his section and sees to it that instructions are not disregarded by his clerks.

9. *The Clerks* :- There are two classes of clerks—(a) Upper Division Clerks and (b) Lower Division Clerks.

The main duties of an Upper Division Clerk are to reference the communications properly and to assist the Superintendent in dealing with the cases relating to his section. They are responsible for complete and accurate referencing and for proper arrangement of a case. The work of a Lower Division Clerk, is of routine and mechanical nature such as maintaining the registers, despatching etc.



CASE STUDIES

1. FRAMING OF ADHOC RULES FOR THE TEMPORARY POST OF GEAR TECHNICIAN IN THE FISHERIES DEPARTMENT.

The Government of Andhra Pradesh, on 3-9-1957, sanctioned the post of a gear technician in the scale of Rs. 45-50 for Training Centre for fishermen at Kakinada in Fisheries Department.

The D. F.¹ in his memorandum dated 2-12-1958, requested the Superintendent of Fishermen Training Centre, Kakinada to submit the draft rules governing the post. The Superintendent had already sent his proposals on 4-12-1959. In his letter on 16-12-1958 he requested the D. F. to refer to his previous letter. In his earlier letter, he had stated that the gear technician must be a literate fisherman with ability to explain to the trainees. The appointing authority should be the Superintendent. The period of probation should be two years.

The Superintendent, F. T. C. wrote another letter on 12-1-1959 to the D. F. stating that he had orally represented to the Deputy Director for appointing Mr. X. of Calingapatnam for the post of gear technician. Mr. X. was a trainee of the first batch of the Training School. He had secured first rank in the examination. The Superintendent wrote that he was appointing him as gear technician and requested the Director to approve the appointment. Later, the Superintendent sent six reminders to the D. F. on 22-1-1959, 19-2-1959, 21-2-1959, 6-3-1959, 10-3-1959, and 30-3-1959. The D. F. in his memorandum informed the Superintendent the approval of appointment and the framing of rules was under consideration.

The D. F. sent a letter to the Government on 7-5-1959 enclosing a copy of draft adhoc rules and sought early order of the Government. The draft rules stated that the general and special rules which applied to permanent posts were applicable to the temporary post also. The appointment to the post was to be by direct recruitment, and the

appointing authority to be the D. F.; the candidate was to have certain qualifications such as literacy in Telugu; the probation was to be for two years and pay to be Rs. 48-80,

On 12-5-1959, in the Secretariat, the concerned section of the Agriculture Department put up a note pointing out the omission of the minimum age in the rules for recruitment to the post, inserted a draft age rule and suggested that the file should be sent to the Law and the General Administration Departments. The Assistant Secretary and Deputy Secretary approved it on the same day.

The section in the General Administration Department made the following suggestions:—

- (i) The appointing authority was to be a lower authority than the Director. For if the Director was to be the appointing authority, the appellate authority would be the Government that would entail hearing of the appeals by the Government, increase in the work of the Secretariat and consultation with the Public Service Commission. The appointment of overseers by the Assistant Director with the prior approval of the Deputy Director was cited as an example in support of the proposal.
- (ii) The age limit was to be 25 years because it was the age limit prescribed for the post of overseers.
- (iii) The draft rules were to be given retrospective effect.

The Agriculture Department was requested to consider the above suggestions.

The Assistant Secretary feared that the requirement for a candidate to be a fisherman might offend article 16 (2) of the Constitution. He observed: "The exact implication of this is not quite clear and if it is intended to denote the fisherman's caste, it will need examination whether it would offend article 16 (2) of the Constitution of India in as much as non-fishermen would be debarred from appointment to that post." He suggested that the candidate should have studied at least upto the V standard.

The section (Agriculture) noted that the D. F. might be consulted and issued a memorandum on 1-6-1959 requesting him to give his opinion on the points raised by the General Administration Department.

ment. He received a reminder on 25-6-1959 from the Government to expedite the reply. The D. F. replied on 4-7-1959 that it was under consideration. He communicated the memorandum to the Superintendent on 4-7-1959. The Superintendent sent his opinion on 6-8-1959 to the Director wherein he stated that (a) the age limit be 18-30 years and the rules be given retrospective effect; (b) the word "fisherman" be defined as a person having fishing as his only profession and having at least 5 years of practical experience in marine fishing and (c) he should have studied upto V class.

The Director on 24-8-1959 forwarded the proposals of the Superintendent to the Government. He sent a reminder to the Government on 25-9-1959.

The section, Agriculture Department put up a note on 12-9-'59 accepting all the suggestions made by the Superintendent on 14-9-1959. The Assistant Secretary suggested that the appointing authority was to be the Superintendent subject to the "approval" but not "prior approval" of his immediate superior. The suggestion was agreed to by the Deputy Secretary and the file was then sent to the General Administration Department.

The section (G. A. D.) remarked on 22-9-1959, that it was desirable to retain the word "prior" on the analogy of the similar provision in the special rules for subservice so that there might be no ambiguity as to whether it was prior approval or post approval. It, however, requested the Agricultural Department to clarify their "exact intention" for deleting the word "prior". The section thought that the word "fisherman" should be defined much more clearly. Regarding the standard of education, the section agreed with the suggestion of the Director. But it suggested that either the Director of Public Instruction or the Education Department might be consulted as to whether the candidate would attain knowledge of elementary English by passing V class. The Assistant Secretary on 24-9-1959 also felt that the word "fisherman" needed clarification and suggested that the Law Department might be consulted. The file was then returned to the Agriculture Department.

In reply to the points raised by the General Administration Department, the section (Agriculture) put up a note on 30-9-1959. On the interpretation of the word "fisherman" the section pointed out that the gear technician was expected to give training in gear technology, grading of nets etc., Therefore, an applicant for the post should

be an active fisherman. In other words, he should either be a fisherman by caste or by profession. The intention was not to debar non-fishermen from applying for the post of gear technician but was to get a right person for the post, the duties of which could be discharged efficiently by an applicant whose profession is fishing, even though he may not be a fisherman by caste. It sought the advice of the Law Department on the point and said Education Department might also see the file. The Assistant Secretary and the Deputy Secretary signed on the same day.

The Education Department made no remarks and they passed on the file to the Law Department on 14-10-1959.

On 22-10-1959 the Law Department made a few alterations and said that there was no legal objection. The file was returned to the Agriculture Department.

The section (Agriculture) again requested the Education Department on 26-10-1959 to give their opinion whether a candidate who has passed V standard would have elementary knowledge of English. The section then drew the attention of its officer to the suggestion of the General Administration Department about the desirability of retaining the word "prior". With reference to the word fisherman, the section agreed with the Law Department. The Assistant Secretary and the Deputy Secretary signed the file on 27-10-1959 and then it was sent to the Education Department.

The section (Education) put up a note on 11-11-1959 stating that the Director of Public Instruction might be consulted. On 28-11-1959 it noted that the Director of Public Instruction was consulted in the matter and he had reported that as the teaching of English commenced in VI class, it was, therefore, obvious that a candidate could not attain knowledge of elementary English in passing V class. The Assistant Secretary and Deputy Secretary also approved it on the same day.

When the file came back from the Education Department, the section (Agriculture) pointed out on 2-12-1959 that if the knowledge of English was necessary, it was desirable to prescribe a standard higher than V, say VIII class and felt that the D. F. should be consulted on the issue. The Secretary and Deputy Secretary saw it on 3-12-1959. On the same day a memorandum was issued to the

D. F. requesting him to state whether, in view of the opinion of the Director of Public Instruction, it was necessary to prescribe a higher educational qualification say VIII class in case the knowledge of English was essential.

This memorandum was communicated, in turn, by the D. F. to the Superintendent, F. T. C. The Superintendent in his reply dated 30-12-1959 stated that the standard of education might be fixed as suggested by the Director of Public Instruction. On 13-1-'60 the the Secretariat sent a reminder to the D. F. The D. F. on 23-1-1960 communicated the views of the Superintendent with approval to the Government-

The section (Agriculture) drew attention to the fact that the D. F. was agreeable to prescribing of VIII class for the post. This was put up on 12-2-1960 and the Assistant Secretary signed on 12-2-1960, Deputy Secretary on 15-2-1960. The file was then sent to the General Administration Department. There the section put up a note on 18-2-1960 which was signed by Assistant Secretary on 23-2-1960 and Deputy Secretary on 24-2-1960. From there it was passed on to the Finance Department.

The section of the Finance Department put up a note of approval on 1-3-1960 which was signed by the Assistant and Deputy Secretaries on 11-3-1960.

When the file returned to the Agriculture Department, the section said on 19-3-1960 it might be circulated to Minister for Agriculture. The Assistant and Deputy Secretaries approved it on 21-3-1960 and the Minister on 3-4-1960.

A Government Order was issued by the Agriculture Department on 13-4-1960.

Comment.

The case throws light on how the service rules are made in Government Departments and how other Departments of the Secretariat are consulted.

The General Administration Department is consulted in service matters by the Administrative Department. The case reveals that the General Administration Department by virtue of its specialisation in service matters throws light on points which sometimes do not strike

the Administrative Department and also on points which the latter did not consider important. In this case, the General Administration Department drew the attention of the Administrative Department to the question of giving retrospective effect to the rules. It also raised a constitutional point whether the use of the word "fisherman" would not offend Article 16 (2) of the Indian Constitution. Referring to the appointing authority, the General Administration Department gave a sound advise to the Administrative Department on the need for delegation of authority. It said that the work of the Secretariat should be minimised and decision-making should be taken to lower levels. The Secretariat should avoid concentration of authority and the Directorate be given more authority.

The Law Department was consulted in the case to see whether the legal side of it was alright.

The case reveals that even on a small issue such as attainment of knowledge of elementary English by passing the V class, the matter is referred to the Education Department. It is interesting to note here that the Education Department which has been asked to give an opinion does not give opinion of its own. It consulted the Director of Public Instruction. This evidently means that the Education Department did not have information on the matter and sought it from the subordinate agency.

In this case contribution has been made at several levels in the Secretariat Departments; but the sections in the Secretariat have had recourse to repetitive and suggestive noting.

The case throws some light on the headquarter-field relationship in the government. To the queries raised by the Secretariat, the answer is not given by the Director, but he passes on the query to the concerned field officer.

Two queries have been raised by the Secretariat in this case. Both are relevant to the case and seek information from the Director. The time consumed by the first query is 77 days and the second is about 50 days.

The total time taken in deciding the case i. e , from the date of Director's first letter to the Secretariat is 706 days i. e., one year eleven months and six days. Of this the inter departmental reference took some time. The Education Department has taken about 45 days which seems too long a period considering the nature of the opinion it was requested to give. The General Administration Department took about 33 days and the Finance Department 18 days.



2. A SCHEME FOR THE ESTABLISHMENT OF STATISTICAL SECTION IN THE ANIMAL HUSBANDRY DEPARTMENT.

The Director of Animal Husbandry submitted a scheme to the Government for the establishment of a statistical unit in his Department on 28-4-1961. In support of his proposal the Director stressed the importance of animal husbandry and the use of statistics in the research conducted by the Department. He said that although the application of statistical principles to agricultural problems had made very rapid strides, yet animal husbandry had been somewhat lagging behind in its use in India. The Indian Council of Agricultural Research was the only organization at present in the country which had established a suitable unit to investigate the statistical problems relating to animal husbandry studies. If the Department in the State should be able to meet the requirements of research workers in animal husbandry and in the Central Institutes, it was absolutely necessary, said the Director, that a suitable unit should be established in the Animal Husbandry Department of Andhra Pradesh to help the departmental workers in planning their programmes of research and interpreting the results by applying modern statistical techniques.

The Director pointed out that the Agriculture Personnel Committee of the Planning Commission had recommended that in the Third Five Year Plan suitable units should be established in all the organizations in the country which were concerned with research activities. It had also been emphasised that the veterinary graduates should receive adequate training in statistical methods.

The Director then referred to the activities of the Animal Husbandry Department. The development activities of the Department had been increasing rapidly. A number of schemes had already been in operation under the control of his Department and more schemes involving research were to be implemented in the Third Plan. In order to assess the progress, it was absolutely essential to collect the statistical information and subject them to statistical analysis. There were a large number of Government live stock farms, poultry farms, sheep farms etc. functioning in the State and besides several research schemes relating to investigations of the diseases and live stock deve-

lopment were in operation. The data collected under the research schemes required consolidation and proper statistical analysis in order to arrive at definite conclusions. The Planning Commission had stressed the need to start a statistical unit for this purpose and this view had already been supported by the Director of Bureau of Economics and Statistics, Andhra Pradesh.

The Director said that owing to the paucity of funds a statistical unit exclusively for the Department could not be sanctioned by Government in the the Second Plan period. The statistics pertaining to livestock and their produce had an important bearing on the economy and would help the Department to measure the progress made and chalk out the future programme of work and organize livestock marketing on sound lines. The Department, said the Director, proposed to establish one statistical unit with an officer in the scale of Rs. 250-600 and the required staff to be attached to the Directorate.

The Director further pointed out that the Planning Commission had agreed to provide a sum of Rs. 0.20 lakhs during 1961-62 in the Annual Plan of Telangana Region. The scheme would be jointly financed by the State and Central Governments.

The Director requested the Government to accord sanction for the establishment of a statistical unit in the Directorate at a cost of Rs. 20,000/- during 1962-63 and for the employment of the following staff for a period of nine months :

		Scale of pay	No of posts
1. Statistical Officer	... Rs.	(250—600)	— 1
2. Investigator	... ,,	(150—300)	— 1
3. Computers	... ,,	(90—180)	— 1
4. U. D. C.	... ,,	(90—180)	— 1
5. L. D. C.	... ,,	(50—120)	— 1
6. Typist	... ,,	(50—120)	— 1
7. Peons	... ,,	(26— 40)	— 3

The estimated expenditure including travelling allowance for nine months would be Rs. 13,221-00.

The non-recurring expenditure was as follows :

1. Furniture	...	Rs. 1500—00
2. Typewriter	...	,, 909—00
3. Constructors	...	,, 1500—00
4. Books and Periodicals	,, 979—00
5. Miscellaneous	,, 800—00
6. Service postage	,, 800—00
7. Stationery etc.	...	,, 400—00

Total recurring and non-recurring would be Rs 20,000/-

Share of Government of India ... Rs. 10,000/-

Share of the State Government ... Rs. 10,000/-

A note was put up on the proposal of the Director by the section, Agriculture Department (Secretariat), on 24—5—1961. The section pointed out that the Director of Animal Husbandry submitted a proposal for the appointment of a statistician with ancilliary staff in Animal Husbandry Department during 1960-61 at a total cost of Rs. 25,000/-. Though the proposal at that time was supported with some modifications by the Agriculture Department as well as by the Financial Adviser (Agriculture), it was deferred on the orders of the Minister for Finance. The Director of Animal Husbandry was informed that the information proposed could be gathered with the available staff.

Commenting on the current proposal the section suggested :

- (i) that the scale of pay of Investigator might be reduced from Rs. 150-300 to 150-250 on the analogy of the scale for the Economic Statistical Investigator of the Bureau of Economics.
- (ii) that the post of U. D. C. might be deleted and one L. D. C. and one typist might be sanctioned as was suggested last year by the Financial Adviser ;

- (iii) that the miscellaneous expenditure might be reduced from Rs. 900 to Rs. 500. The section agreed to the other demands of the Director.

If these suggestions were accepted the total cost of the scheme during 1961-62 would come to Rs. 18,194/-. The section pointed out that if the proposal was agreed to the Director might be asked to report, in due course, the share of the Central Government after their pattern of assistance was known.

On this note of the section, the Deputy Secretary commented on 27-5-1961 as : "Has any other department got a statistical section? If other departments have, what is the staffing pattern?" The Assistant Secretary commented on the same day : "Please contact the Agricultural section concerned and put up definitely as desired by the Deputy Secretary."

On 21-6-1961 the section put up a note that there were two statistical officers in the scale of Rs. 250-600 in the Agriculture Department one in the Directorate of Agriculture and the second in the Marketing Wing of that Directorate. The necessary subordinate staff viz; statistical assistants on Rs. 150-300 and computers on Rs. 90-180 were also employed.

The Deputy Secretary made his remarks on 17-7-1961. He said the functions of statistical unit were connected with research schemes and consisted of designing of experiments, statistical analysis of the said experiments, and interpretation and compilation and some survey work.

There was also a unit of such type on Agriculture side connected with as many as 44 research schemes functioning from 1951, under a gazetted officer with an assistant, 2 computers and a clerk-cum-typist.

"The proposal here is to have a similar unit on the Animal Husbandry Veterinary side. We reviewed it last year for sanctioning staff to the extent it is existing on Agriculture side. We agreed departmentally but the Finance Minister did not agree and so it was put off and the proposals are now renewed.

"The research schemes on the Animal Husbandry side are 13 only and there can be no justification to ask for or sanction the staff,

on the same scale as on Agriculture side. An investigator with a peon and a computer in the scales in which we have the post in the Bureau of Economics may perhaps do. We can perhaps think of a gazetted officer and clerk-cum-typist after watching the work for a year. The investigator can be attached to the Serum Institute where we have research units or D. A. H.'s office. Clerical and typing work may be very little and the investigator should be able to manage it in the office to which he stands attached. We may get the Director of Animal Husbandry's views on the suggestions".

A memorandum was sent to the Director on 19—7—1961 asking him to give his views on the following points :—

- a. Staff of one investigator with a computer and a peon might be sufficient to collect statistical information regarding the Animal Husbandry Department : and
- b. Gazetted officer and other staff could be considered after watching for a year.

Reminders were issued to the Director from the Secretariat regarding the reply to the memorandum on 31—7—1961, 5—8—1961 and 16—8—1961.

The Director sent his reply to the Secretariat on 14—9—1961. In this letter he reiterated his earlier proposal. He stated that the statistical units would be responsible for conducting sampling investigations relating to animal husbandry problems in the State. For this purpose it would be necessary for the workers in the statistical unit to have adequate knowledge of animal husbandry problems and close contact with the officers and research workers of the Department in order to give competent advice on the statistical aspect of animal husbandry plans and research. The Director also referred to the functions of the State Statistical Bureau and pointed out that the work done by them was different and would not entirely help his departmental activities. The two organizations would supplement each other and that there would be no duplication or overlapping in their work. For proper and successful implementation statistical data was to be collected. In the absence of any technical agency pertaining to Animal Husbandry Department the data that it collected in the field did not cover the various details that needed. The Director argued that in these circumstances a statistical unit might be created in his Department.

The section (Secretariat) put up a note on 25—9—1961 on the above reply of the Director. It reproduced the arguments of the Director. Commenting on the letter it said that he had not answered the queries posed to him viz., whether in view of the small number of research schemes a reduced staff of the statistical investigator, one computer and one peon would not be sufficient. He had not examined the need for staff asked for by him in relation to the work load. "Evidently" commented the section "there are no convincing reasons to justify the same. After all, the need for a statistical unit is being conceded by this Department but it is only proposed to have limited staff now." In these circumstances the section sought orders whether the Secretariat should stick to the view that an investigator, with a peon and a computer would be sufficient. The question of appointing a gazetted officer and a typist could be considered after watching the progress. The file was seen by the Assistant Secretary on 26—9—1961 and on the same day the Deputy Secretary commented on the file as follows :

"Specific remarks of the Director of Animal Husbandry may perhaps be obtained with regard to the strength of the staff."

On 30—9—61 a memorandum was issued to the Director asking him to give his remarks on the points raised above. Reminders were sent to him on 5—12—61, 17—10—61 and 27—10—61. Since nothing was heard from the Director, the section put up a note on 27—10—61. It said that the Director had not sent his reply to the memorandum. As hardly four months were left in the year, and in view of the order of the Secretary that final orders should be issued before the end of the month, it sought orders whether the scheme might be deferred to next year and the Director informed accordingly. The Assistant Secretary signed on the same day. The Deputy Secretary remarked that "The Director of Animal Husbandry was very particular about the statistical section. Let a D. O. be addressed. If nothing is heard by 5th November, action as proposed be taken." He signed on 27—10—61.

On 3—11—61, the Director sent his reply to the memorandum of 30—9—61. In this letter he justified his demand and said that staff was necessary. The work of the statistical section was essential for the proper formulation of about 100 new schemes costing about Rs. 385.00 lakhs.

In the Secretariat, the section acted on the above letter on 8—11—61. It simply mentioned the arguments of the Director and sought orders whether the proposal of the Director be accepted subject to the modifications proposed :—

1. One Statistical Officer
2. One Statistical Investigator
3. Two computers
4. One L. D. C,
5. One Typist
6. Two Peons.

The Assistant Secretary observed on the same day that the Director of Animal Husbandry had reiterated his request for sanctioning the setting up of a statistical unit in the Animal Husbandry Department. In view of the advice of the Financial Adviser, said the Assistant Secretary, it was to be considered whether a gazetted statistical officer was necessary at all. Research stations in the Animal Husbandry Department were comparatively small in number. Hence it might not be requiring the same quantum of staff as in the Agriculture Department. For the present, he said, a nucleus staff of one investigator, two computers and a peon attached to the office of Director of Animal Husbandry might be sanctioned. The position could be reviewed in the light of the work actually turned out by the statistical unit at the end of the six months.....“If the staff suggested above is considered to be meagre a post of clerk-cum-typist may be added,” wrote the Assistant Secretary.

On this the Deputy Secretary noted : “We may discuss this with some one from Director of Animal Husbandry’s office in the first instance.”

Next day the Assistant Secretary wrote on the file as follows : “I have spoken to the Director of Animal Husbandry on phone. He suggested that either the entire staff asked for by him may be sanctioned or the proposal may be dropped as he could not accept the responsibility for positive results accruing under the scheme if a senior statistical officer of gazetted rank is not appointed. He pleads for sanctioning the staff as proposed by him.”

The Deputy Secretary remarked on 10—11—1961: "I prefer to drop the scheme". The file was then sent to the Joint Secretary who observed that: "To the general question whether any statistical analysis is needed the answer can only be in the affirmative. The only question is whether the stage is ready for the staff...and whether the quantum of staff asked for is necessary. It is not clear from Director of Animal Husbandry' report why this work of the Animal Husbandry Department cannot be done by the Bureau of Economics and Statistics. They have a full compliment of trained personnel and perhaps a cell for Animal Husbandry Department in the Bureau and would get the same results at less cost. While the Animal Husbandry Department says this work will not be a duplication of Bureau's work, there is no indication whether the data now obtained by the Bureau.....and processed cannot be done in the Bureau itself. The initial mistake, I fear, was done by giving the staff to the Director of Agriculture and it is becoming a precedent. Why not the Director of Animal Husbandry consult the Director of Economics and Statistics and see whether he can do it if a separate cell is set up for the desired task. If necessary we could arrange for a meeting of the two Directors at Secretariat and thrash this out.....".

A memorandum was issued to the Director on 16-11-61. In it he was asked to clarify why the statistical work could not be done by Bureau of Economics and Statistics. They had competent personnel and could do it at less cost. The Director was requested to consult the Director of Bureau of Economics and Statistics.

On 22—11—1961 the Director of Animal Husbandry wrote a letter to the Director of Bureau of Economics and Statistics requesting him to offer his comments on the memorandum.

A reminder was sent from the Secretariat to the Director of Animal Husbandry on 30—11—1961.

The Director of Bureau of Economics and Statistics sent his letter to the Secretary, Agriculture Department on 30—11—61. In it he stated that it was desirable to set up statistical unit in Animal Husbandry Department. Such a unit could pay close attention to problems of that Department. Such units existed in Departments of Director of Public Instructions, Director of Public Health, Director of Agriculture etc. ,The Bureau of Economics would give them technical guidance.

On 10—12—61, the Director of Animal Husbandry wrote a letter to the Seretariat requesting it to sanction the scheme. He said that the Director of Bureau of Economics and Statistics was also in favour of it.

In the meantime, the secretariat Section acted on the letter of the Director of Bureau of Economics and Statistics on 8—12—61. It reproduced the points mentioned by him in it and did not offer any comments of its own. The Assistant Secretary approved it on 11—12—61 and the Deputy Secretary commented on the same day as follows :—

“In view of the report and recommendations of the Bureau we may accept the proposal of Director of Animal Husbandry.”

From there the file was sent to the Financial Adviser. An exhaustive note was put up in this office on the following lines. The scheme in question had been included in the third plan and a sum of Rs. 0-02 lakhs had been allotted during 1961-62. But the plan budget, however, provided a sum of Rs. 0-04 lakhs. “In fact this scheme was taken up during the last year and the details of the scheme were examined in this Department. When the case was circulated to Minister for Finance he was pleased to observe that in view of the present financial stringency, this may be deferred for the present”. The section of Financial Adviser further stated that the Director of Animal Husbandry had again come up to the Government for the sanction of the scheme. The staff pattern was the same as proposed previously except a post of L. D. C. which had been added to the present proposal. The Director of Bureau of Economics and Statistics had also advised to set up a statistical unit in the Animal Husbandry Department on the analogy of other Departments. The Agriculture Department had, however, put up this file in respect of the statistical units at Director of Agriculture's office. But there was no information available in this file with regard to the statistical unit in the Registrar of Co-operative Society's office. The activities of the Director of Agriculture's office were compared with the activities of the Animal Husbandry Department. But the Animal Husbandry Department being a smaller one with limited schemes, there appeared to be no necessity to sanction a statistical officer for the purpose. But, as observed by the Agriculture Department (Secretariat), some nucleus staff consisting of one investigator, two computers and a typist-cum-clerk with a peon could be attached to the office of the

Director of Animal Husbandry to attend to the work. The statistical unit in Director of Animal Husbandry could, however, consult the Bureau of Economics for technical guidance or statistical aspect of animal husbandry plans and research as and when required. There seemed to be no immediate need for the appointment of a statistical officer in the grade of Rs. 325-525 as proposed by the Director of Animal Husbandry.

On this the Financial Adviser observed "the scheme although included in the plan, has not yet been implemented so far. According to the instructions of Government, schemes not yet sanctioned in the current year should be deferred to next year. According to the order of the Minister of Finance and Law the scheme was deferred previously in view of the financial stringency, which position still continues even to day. The Government have also issued instructions that schemes which have been recently sanctioned and which have not yet been put on the ground, should also be put off till next year. The scheme in this file does not seem to be urgent to warrant its implementation during the current year. This can, therefore, be deferred to the next year conveniently."

It was signed on 29—12—1961 and the file returned to Agriculture Department (Secretariat).

On 3—1—1962 the section prepared a note for circulation. In it the section said that the Financial Adviser had suggested that the scheme should be deferred to next year. Further it sought orders in view of the differences of opinion between the Financial Adviser and the Administrative Department. It said that the Director of Animal Husbandry had been pressing for the establishment of a statistical section and as similar sections were sanctioned in other Departments it was for orders whether the proposal of the Director of Animal Husbandry should be accepted or whether the view of Financial Adviser (Agriculture) to defer the scheme to next year be approved.

The section said that the case might be circulated to the Minister for Agriculture. It should be circulated to the Minister for Finance if the suggestion of creation of the section was to be accepted.

The Deputy Secretary observed on the same day : “This is a plan scheme with a necessary provision in the plan. ‘A’ may be approved”. (“A”) refers to the creation of the section). The Joint Secretary also signed on that day. The Minister for Agriculture approved it on 19-1-1962.

The Finance Minister did not approve it. He said, “May be deferred to next year”. He signed on 27-1-1962 and the file was returned to Agriculture Department.

There the section said that the case might be circulated to Minister for Agriculture. The Deputy Secretary signed on 30-1-1962 and the Minister saw it on 31-1-1962. The Secretariat sent a memorandum to the Director on 2-2-1962 informing him that the scheme was deferred to next year. It also requested the Director to renew the scheme during 1961-62¹.

No reasons were mentioned in the memorandum for the non-acceptance of the scheme.

Comment

This case illustrates the process by which the Secretariat questions, consults and proposes to the Head of the Department on the one side and collects relevant information on the other. All this process had taken about 9 months and the net result was that the scheme was deferred for a second time. In computing the period taken for getting this result due attention will have to be paid to the fact that not a little of this time was lost because of the Head of the Department.

Thus it will be seen that the view of the Director called for on 19-7-1961 was received only on 14-9-1961. Similarly to a memorandum issued on 30-9-1961, no reply was received till a demi-official letter was issued. This elicited a reply only on 3-11-1961. Finally, the reply to the memorandum issued on 16-11-1961 was received only on 10-12-1961.

It will be noticed that the scheme was deferred on financial grounds. Financial stringency was invoked as the reason by the Financial Adviser and though even the Minister in charge supported the scheme the Finance Minister ordered it to be deferred.

1. It was sanctioned on 29th October, 1963.

3. CONTINUANCE OF GOVERNMENT GUARANTEE FOR FINANCING CHEMICAL FERTILIZERS DISTRI- BUTION TO THE ANDHRA STATE CO-OPERATIVE BANK.

The Andhra State Co-operative Bank wrote a letter to the Registrar of Co-operative Societies on 20—12—1961 requesting him to get the Government guarantee for the State Bank cash credits of Rs. 100/- lakhs given to the Andhra State Co-operative Bank. It was stated in the letter that the Government guarantee was upto 31-3-1962. The extension of Government guarantee was necessary before that day. The Executive Committee of the Andhra State Co-operative Bank had passed a resolution requesting the Government for extension, a copy of which had been enclosed. The Andhra State Co-operative Bank letter continued that if the Government decision was delayed the former would have to repay Rs. 100/- lakhs. The Andhra State Co-operative Bank was not in a position to do that. It requested the Registrar to get early orders of the Government.

The Registrar in his letter of 29—1—1962 to the Government mentioned all the facts stated by the Andhra State Co-operative Bank. He said that the Bank was not in a position to repay now. He requested the Government to guarantee the repayment.

On the same day the Registrar wrote a letter to the Superintendent of State Bank of India. In it he said that the Government was considering the extension of Government guarantee. The Registrar requested the State Bank of India to consider continuance of the cash credit to the Andhra State Co-operative Bank.

The Registrar sent a letter to the Andhra State Co-operative Bank on 14—2—1962 stating that there might be some delay in Government orders. He advised the Co-operative Bank to contact the State Bank of India and also to take precautions for repayment.

In the Secretariat, the section (Agriculture) put up a note on the proposal of the Registrar on 16—2—1962. In the note it first gave the background of the case. In G. O. Ms. No. 668, Agriculture, Government had guaranteed the repayment of the cash credit of Rs. 100 lakhs to be made available to the Andhra State Co-operative Bank, Vijayawada, by the State Bank of India, Madras for a period of one year from 1—4—1961, to finance the distribution of fertilizers

in Andhra area by the co-operative societies. The section said that the Executive Committee of the Andhra State Co-operative Bank had requested the Government for continuance of the cash credit accommodation from the State Bank of India on Government guarantee for a further period of one year from 1—4—1962. The section then referred to the proposal of the Registrar that the Government might continue the guarantee for a further period of one year from 1—4—1962. The Registrar had requested separately the State Bank of India for continuance of the cash credit. It pointed out that under Rule 11 of the Second Schedule to the Business Rules, the sanction of the Cabinet was necessary for giving Government guarantee. The section opined that the proposal might be accepted. It also suggested that the matter might be placed before the Cabinet.

The Assistant Secretary recommended that it might be approved. The Deputy Secretary approved it on 19—2—1962. The file was sent then to the Financial Adviser.

The Andhra State Co-operative Bank wrote on 21—2—1962 to the Registrar of Co-operative Societies explaining its difficulties. It said that no funds were available for repayment to the State Bank of India. The Registrar was requested to expedite the matter.

On 24—2—1962 the Financial Adviser said that the proposal might be approved. The approval of the Cabinet would have to be obtained in the matter.

From here the file was sent to Finance Department (Ways and Means). They also agreed to the proposal. The Deputy Secretary saw it on 3—3—1962 and the file was returned to the Agriculture Department.

In the Agriculture Department a note for circulation was prepared on 7—3—1962. The note said that the case had been examined in consultation with the Finance Department. The Agriculture Department proposed to accept the proposal of the Registrar of Co-operative Societies and the Finance Department had agreed to it.

Under the Rule 11, of the Second Schedule to the Business Rules the sanction of the Cabinet had to be obtained for giving Government guarantee. The case might be circulated to the Minister for Finance and Co-operation and the Chief Minister through the Chief Secretary for approval. To this note a draft memorandum for

the Council of Ministers was also attached. The Assistant and Joint Secretaries signed on 13—3—1962, the Chief Secretary on 14—3—62, the Finance Minister on 22—3—1962 and the Chief Minister on 26—3—1962.

When the file came back to the Agriculture Department, the latter sent it to the General Administration Department on 27—3—1962 for getting it included in the agenda for the Cabinet meeting.

On 30—3—1962 the Deputy Secretary of Agriculture Department wrote a letter to the State Bank of India stating that the proposals for renewals were under consideration of the Government and orders would be issued shortly. He requested the State Bank of India not to press the Co-operative Bank for repayment.

At a Cabinet meeting held on 2—4—1962 the proposal was approved. The file was returned to the Agriculture Department on 11—4—1962. The section prepared a draft order for approval. It was approved by the Assistant and Deputy Secretaries on 12—4—1962 and the Joint Secretary the next day.

A G. O. was issued on 14—4—1962 stating that the Government agreed to guarantee the repayment of a cash credit of Rs. 100 lakhs to be given by the State Bank of India to the Andhra State Co-operative Bank, Vijayawada.

It was issued fourteen days after the expiry of the guarantee date.

Comment

This is a fairly routine case wherein there is no difference of opinion on the action to be taken. The proposals of the Registrar were accepted, yet the entire matter took over 3½ months and the order was issued fourteen days after the expiry of the validity of the previous guarantee. This is largely because of the mechanics involved in preparing a case for submission to the Cabinet for its approval. The formal interdepartmental clearance was obtained in a matter of about a month. From this day, i. e. from 7—3—1962 till the matter was placed before the Cabinet the delay was inevitable. Even though there is no contribution from the Secretariat, delays of this type cannot be avoided owing to the need of fulfilling the procedural requirements.

Incidentally, it may be noted that allowing for the time taken in the Secretariat the final orders could still perhaps have been passed before 31—3—1962 if only the Head of the Department had been more prompt in sending his proposals. Even though the Bank had written to him on 20—12—1961 he addressed Government only on 29—1—1962. This delay was avoidable and had it been avoided the final orders could have been issued in time.



4. PURCHASE OF CHAIRS FOR THE OFFICE OF CONSERVATOR, KURNOOL.

The Chief Conservator of Forests wrote a letter to the Government on 5—3—1960 regarding the purchase of chairs for the office of Conservator, Kurnool. He said that the Conservator, Kurnool, had reported to him that “there are chairs just sufficient for the staff and no extra chairs are available whenever they are required in connection with conferences and meetings held by the Conservator”: Therefore, said the Chief Conservator of Forests, the Conservator had purchased 8 chairs made of rose wood from “X” furniture works at Katpadi. Before purchasing the chairs from this company, the Conservator had made enquiries from local firms as the supply from Jails was generally uncertain and there would be breakage in transit. According to the Conservator, said the Chief Conservator of Forests, the quotations of the local firms were not justifiable when the quality of wood, workmanship and design etc., were taken into consideration. The “X” furniture works supplied the chairs at a cost of Rs. 200/- while the actual cost of the company for 8 chairs was Rs. 214/- These were supplied at concessional rates to the Conservator.

Continuing the letter, the Chief Conservator of Forests said that “the expenditure incurred by the Conservator is within his competence”. But according to the rules prescribed in the Andhra Pradesh Financial Code Volume I and II, the Conservator should have consulted the Jail Department or should have called for quotations from various firms and purchased from one of the firms approved by the Director of Central Stores and Purchase Department on rate contract system. The Chief Conservator of Forests pointed out that the Conservator had violated the above procedure. However, he said, “under the circumstances explained by the Conservator his action (in purchasing) 8 chairs from Katpadi may please be ratified as a special case”.

A memorandum seeking some clarifications, was sent by the Secretariat on 18—3—1960 to the Chief Conservator of Forests. It contained the following queries :

- (a) If breakage in transit was considered as a ground for not purchasing the chairs from Jail Department, it (breakage in transit) would equally apply for their transit from

Katpadi. There was no point in the Conservator urging this ground for purchase of furniture from Katpadi. It requested the Chief Conservator of Forests to state why the particular firm from Katpadi (Madras) alone was chosen for buying the furniture? Were the tenders from other parties called for or not?

- (b) Why were the Central Stores and Purchase Department, or the Jail Department, said the memorandum, not consulted in the matter before offer from a private firm was accepted?
- (c) When were the chairs purchased?
- (d) What was the actual expenditure incurred in the transit of the chairs from Katpadi to Kurnool in addition to cost of Rs. 200/-?
- (e) What were the rates quoted by the local firms? and
- (f) Why was the sanction of Government not obtained for buying from outside the Jail Department?

The contents of the Secretariat memorandum to the Chief Conservator of Forests were communicated by letter to the Conservator, Kurnool on 6-4-60 with a request to furnish the replies to the queries raised by the Government. The Conservator sent his reply on 5-5-60. In it he said that the breakage was not the only consideration; there were other considerations also. When he had gone to Hyderabad on duty he had personally consulted the Director, Central Stores and Purchase Department. The Director had told him that the Jails were over worked and were not in a position to supply the furniture to districts. He had told the Conservator that after calling for tenders the latter might select the best furniture, consistent with quality of wood, workmanship etc. The Conservator said that the tenders were called for from the local manufacturers and their rates varied from Rs. 22/- to Rs. 25/- per chair and samples were also seen by him. Their workmanship was not good when compared to the price.

Further, the Conservator wrote that when he was touring Chittoor District he had been told that good furniture was being manufactured at Katpadi which was about 12 miles from Chittoor. The Conservator had seen such furniture, which was excellent, in a private house. On the basis of this he had asked the firm 'X' to

offer their lowest quotations which came to Rs. 214/-. He told the firm that only Rs. 200/- were available for the chairs and the firm agreed to supply the chairs for the sum quoted by the Conservator. To bring the chairs from Katpadi no expenditure was incurred as arrangements were made for their transport in the trailer attached to the jeep of the flying squad party. If the furniture, said the Conservator, was to be brought from the Jails it could have been done only through rail and not by road whereas from Katpadi, it could be brought by road without damage.

Referring to the second point in the memorandum, the Conservator repeated his earlier argument that he had discussed with the Director, Central Stores and Purchase Department and the latter had informed him that the Jails were not in a position to comply with the orders from the Districts.

These chairs were purchased in December 1959 and no expenditure was incurred in the transit of chairs.

The Conservator further said he was told by the Director of Central Stores and Purchase Department that after calling for tenders, the purchase could be made anywhere if the quality and workmanship were good "at the discretion of the officer competent to purchase". Concluding his letter the Conservator said that the chairs were very nice and very well made and he had shown them to the Chief Conservator of Forests when the latter visited Kurnool. He requested the Government to ratify the action.

The Chief Conservator of Forests in his letter to the Government on 19-5-1960 requested the latter to ratify the action of the Conservator. He also enclosed a copy of the Conservator's letter to him.

In the Secretariat, the concerned section of Ministry of Agriculture put up a note on 25-5-1960. In it the section said that in the circumstances stated by the Chief Conservator of Forests, sanction might be accorded to the purchase of the furniture. The Assistant Secretary approved it and the Deputy Secretary on 30-5-1960.

From here the file was sent to the Home Ministry which saw it on 9-6-1960 and then sent it to the Finance Department. There, the section put up a note of approval on 16-6-1960. The Financial

Adviser approved it on 22—6—1960 and returned the file to the Agriculture Department.

On 30—6—1960 the section said that the order might be issued. The G. O. was issued on 11—7—1960. It said that sanction was accorded to the purchase of chairs by the Conservator of Kurnool and ratified his action in purchasing the chairs from the Jails. However, said the Government Order, the Chief Conservator of Forests was requested to ensure that in future no such purchases were made without the prior sanction of the Government.

Comment

This case deals with post facto ratification of action taken by the Conservator of Forests. The expenditure incurred is within his powers but ratification becomes necessary only because the transaction transgressed the rules laid down in regard to purchase of furniture.

The first factor which stands out rather prominently in this case is the fact that the Head of the Department acted merely as a post office between the Conservator and the Secretariat. The Secretariat wanted certain information before it could decide this case. This could easily have been foreseen and all the information needed could have been supplied when the original proposals were sent. The absence of these particulars caused a delay of which nearly one month (from 6—4—1960 to 5—5—1960) was with the Conservator himself. Initially, too, there has been a delay of nearly 3 months at the lower levels, for though the purchase were made in December 1959, the proposals of the Chief Conservator were sent only in March, 1960.

The major issue which arises out of this case is whether a matter of this type which involved exercise of financial powers which have been delegated but exercised in violation of the procedure is a case which need go to Government but should not be disposed of at lower levels.

5. REPAIRS TO A MOTOR VEHICLE IN THE FISHERIES DEPARTMENT.

The Assistant Director of Fisheries, Vijayawada, Andhra Pradesh, sent an express delivery letter to the Director of Fisheries, Andhra Pradesh on 16—6—1962. In the letter the Assistant Director stated that the vehicle No. A P K 4790 was sent to the Area Transport Officer, Vijayawada with a request for attending to some major repairs which were essential to put the vehicle on the route. The Area Transport Officer informed that it needed major repairs and estimated the cost of repairs to be Rs. 2,409-50 np. The Assistant Director requested the Director of Fisheries to accord sanction. He also pointed out that the vehicle had stopped functioning for want of repairs and requested early orders.

A memorandum was sent from the office of the Director of Fisheries on 23—7—1962. It was stated in the memorandum that for this expenditure, the Government sanction was necessary. It requested the Assistant Director of Fisheries to furnish the following information so as to enable the head office address the Government:

- (a) A provision of Rs. 8,000 was allotted to the A. D. F.¹ under "other charges". Could this expenditure be met from Rs. 8,000/- ? If not, the A. D. F. was requested to show the savings to the extent of the above amount from "non-plan" budget allotment.
- (b) Date of supply of the vehicle with cost.
- (c) G. O. and date in which the latest sanction of the scheme was accorded.
- (d) Details of the last repairs under taken to the van with the sanction of the Head of the Department and the sanction of the Government.

He was requested to submit these urgently. The A. D. F. sent his reply to the Director of Fisheries on 1—8—1962 by express delivery letter. In his reply he stated that the expenditure could not be met from Rs. 8,000 under "other charges".

1. A. D. F. Assistant Director of Fisheries.

A saving of contingent expenditure could be obtained from "non-plan" budget allotment from other heads to meet the expenditure. The vehicle was supplied in 1960-61 and its cost was not known. The latest sanction was accorded under G. O. 883. The vehicle was never sent for repairs; the expenditure on minor repairs came to Rs. 827/- in 1961. The A. D. F. requested for early orders.

Another memorandum was despatched to the A. D. F. from the Director's office on 23-8-1962. In this, he was requested to report the specific head of account from which savings could be effected to meet the expenditure. He was asked to mention the date on which the vehicle was put to use and send a copy of the Transport Officer's letter.

To this the A. D. F. replied on 4-9-1962. He stated that the vehicle was put on the road in February, 1961. Other details were also furnished.

After obtaining the above information the Director of Fisheries sent a letter to the Government on 3-10-1962. In it the Director stated that the A. D. F., Vijayawada, had sent a vehicle for repairs. He mentioned all the facts about the vehicle which were furnished by the A. D. F., such as the amount involved, date of supply of vehicle and previous repairs. He enclosed the copies of letters from the A. T. O. and the A. D. F. The Director stated that the repairs were essential and requested the Government for sanction.

The concerned section in Agriculture Department (Secretariat) put up a note on this on 7-11-1962 without any comment. The Assistant Secretary saw it on 8-11-1962 and the Deputy Secretary on 9-11-1962. From here the file was sent to the Finance Department.

The section of Finance Department looked into the file and put up a note on 13-11-1962. It stated that the vehicle was supplied in new condition during 1960-61. The Department had already spent a sum of Rs. 827-50 np. during 1961 on its repairs. It was rather surprising that the vehicle now needed major repairs to the extent of Rs. 2,409-50 np. This might be due to accident or some other extraordinary reasons. The Finance Department requested the Agriculture Department (Secretariat) to re-examine the case and see whether the officer could be held responsible for the damage done to the vehicle.

It requested for a detailed report from the Director of Fisheries for further examination of the case. The Financial Adviser signed on 17—11—1962.

On receipt of the file, the Agriculture Department prepared a memorandum and sent to the Director of Fisheries on 20—11—1962. It dealt with the points raised by the Finance Department and requested the Director of Fisheries to furnish a detailed report in this regard.

The Director of Fisheries' office, in turn, sent a memorandum to the Assistant Director of Fisheries, Vijayawada on 6—12—1962 (despatched on 12—12—1962) incorporating the points raised by the Secretariat on 21—12—1962. The Secretariat sent a reminder to the Director of Fisheries.

The Assistant Director of Fisheries, Vijayawada sent his reply to the Director of Fisheries on 24—12—1962. He pointed out that the road between Ethemukala and Ongole, where this vehicle was plied, was in bad condition. Although the estimate of repairs was Rs. 2,409/- a sum of Rs. 1,300/ was allotted for the purchase of tyres. The tyres of the vehicle were completely worn out due to the rough road. A sum of Rs. 650/- was for body repairs and painting. He submitted that the vehicle was not damaged due to any accident. As it was running along the sea shore the painting had been effected. Therefore, minor repairs were required on the body. These repairs, stated the A. D. F., were not due to any negligence in maintaining the vehicle.

The Director of Fisheries sent a letter based on the facts supplied by the A. D. F. and requested the Government to sanction the money.

The section (Agriculture Department) marked the file to the Finance Department on 21—1—1963.

The section of the Finance Department put up a note on 23—1—1963. Referring to the items of expenditure on purchase of new tyres Rs. 1,300/- and body painting Rs. 650/- it said "the reasons advanced for taking up the above two items of repairs are not convincing. It is not clear how tyres become worn out within a period of two years. The Finance would like to know the total mileage covered by the vehicle so far. The roads on which the vehicle is plying to

and fro are stated to be rough. But it is presumed that roads are not country or cart track but metal roads which are not so bad as to spoil the tyres within a period of two years". Regarding the body painting which was faded within two years, the section commented that it was not an "inevitable item". "The vehicle may run without body painting". It requested the Agriculture Department to examine the case more minutely in order to save "avoidable expenditure in the period of National Emergency".

The Financial Adviser observed on 24—1—1963 that exclusive of tyres and painting the amount requested for keeping the vehicle in running order was about Rs. 300/- He advised the Director of Fisheries (D. F.) to carry out minor repairs within the said amount for the present subject to purchase of tyres when "absolutely required". The file was returned to Agriculture Department.

The section of the Agriculture Department pointed out on 31—1—1963 that exclusive of tyres and painting, the expenditure came to Rs. 459-50 and not Rs. 300/- as indicated by the Financial Adviser. In view of this it again requested the Finance Department to sanction Rs. 459-50.

The section of the Finance Department said that there was some discrepancy in the figures supplied by the D. F. in his two letters. It requested the Agriculture Department to get the matter clarified from the D. F. However, it agreed with the D. F. that if painting and tyres were removed the balance came to Rs. 459-50 and suggested that Finance Department might agree with it.

The Financial Adviser also observed that the sum of Rs. 450-50 might be sanctioned. He said his figure of Rs. 300/- was arrived at after deducting Rs. 1300/- for tyres and Rs. 650/- for painting. He said as the body repair was not a necessity, the figure of Rs. 459-50 might be accepted. He sent the file back to Agriculture Department on 4—2—1963. A G. O. was issued by the Agriculture Department on 11—2—1963.

In the G. O. it was stated that an expenditure not exceeding Rs. 459-50 towards repairs was sanctioned by Government. Referring to tyres and painting, it said "The Government do not consider sanction of purchase of tyres and painting to the body of the vehicle necessary".

Later the D. F. sent on 11—4—1963 another letter to Government urging for a sum of Rs. 1300/- for the purchase of tyres.

The section of Agriculture Department put up a note on 13—4—1963 approving the proposal of the D. F. It was sent to Finance Department. The Finance Department also agreed to it on 26—4—1963. A draft memorandum was issued on 30—4—1963 in which the Director's proposal was accepted.

Comment

The case throws light on : (1) time consumed in deciding proposal, (2) relationship between the headquarter and field agency; (3) relationship between the Directorate and the Secretariat, and (4) inter-departmental relationships within the Secretariat.

- (a) The total time taken in deciding the case is 238 days from the date of despatch of first letter by the Assistant Director of Fisheries, Vijayawada.
- (b) Out of this the Directorate itself took 137 days to ascertain facts and recommend it to the Government;
- (c) The Secretariat took about 101 days to process and decide the case in a modified form ;
- (d) The query raised by the Finance Department was communicated to the D. F. by the Administrative Department. The D. F. in turn communicated it to the A. D. F. Vijayawada. Communicating and sending of reply to the query took 57 days; and
- (e) In the G. O. first issued on 11—2—1963 sanction was not accorded for purchase of tyres and body repairs. The D. F. sent a letter requesting the government to sanction money for tyres on 11—4—1963 which was approved by the Secretariat on 30—4—1963.

Since the vehicle could not be used without tyres, it is likely that it was kept idle from 16—6—62 to 30—4—63 (i. e. for 288 days) or more, because the A. D. F. must have sent the vehicle for repairs prior to sending his letter to the Director for money.

The case reveals that for want of money (about two thousand rupees) for vehicle repairs, it was unused for more than 228 days.

The case highlights the fact that the proposal of a subordinate line officer is scrutinised by his superior line officer. The superior line officer approved the proposal of his subordinate and sent a request to Government for funds.

In the Secretariat, the concerned Administrative Department (in this case Agriculture Department) has not made any contribution to the proposal. It forwards the proposal to the Finance Department. When the Finance Department raised a query regarding the use of the vehicle by the concerned officer, the Administrative Department communicated it to the D. F. who in turn sent it to the A. D. F. The query is answered neither by the Administrative Department nor by the line agency.

The case throws some light on the nature of the queries raised by the Finance Department and inter-departmental relations within the Secretariat. The Finance Department, in this case, gives opinion that purchase of tyres is not necessary. The Finance Department has no machinery to ascertain whether the tyres are really worn out or not (The Administrative Department and the line department also did not ascertain the facts). If the tyres were really worn out for a genuine reason, the decision of the Finance Department to withhold sanction to this looks arbitrary. Though there is the report of the A. T. O. who is the technical authority on this point, that appears to have had no effect.

For the ascertainment of facts regarding the vehicle all the superior agencies – Finance Department, Administrative Departments, Fisheries Department – had to depend on the A. D. F. himself. Ultimately the Finance Department has sanctioned money for tyres. But this has caused delay.

In this case no policy issue is involved, only financial scrutiny is done in the Secretariat.



6. PURCHASE OF TYRES AND TUBES IN THE FOREST DEPARTMENT.

The Chief Conservator of Forests (C. C. F.) wrote a letter to the Secretariat on 23—8—1961 regarding the purchase of tyres and tubes for a lorry in Mancherial. He had received a proposal from the District Forest Officer, Mancherial for the purchase of six tyres and tubes at a cost of Rs. 3,260/-. The Chief Conservator of Forests said the District Forest Officer, had been to Hyderabad and explained the urgent need for the tyres and tubes to him, and requested for early sanction. The Conservator of Nizamabad circle recommended that permission might be accorded to purchase the tyres and tubes in anticipation of the sanction by Government. Continuing, the Chief Conservator of Forests said that though the District Forest Officer had not furnished full particulars in his proposals considering the urgency of the situation and specially the adverse effect it would have on the transport of timber according to programme, if the lorry was not kept in the running condition, the District Forest Officer, had been permitted by him to purchase six tyres and tubes at a cost of Rs. 3,260/- in anticipation of sanction of Government. He (C. C. F.) requested the District Forest Officer to furnish the following information.

- (a) The date on which the tyres and tubes were last purchased.
- (b) The total expenditure incurred so far on repairs and replacement of the vehicle.
- (c) How many times the old tyres were retreaded ?
- (d) Whether any technical authority had certified to the unsuitability of existing tyres and tubes ?

The Chief Conservator of Forests remarked that in addition to the six tyres and tubes the District Forest Officer Mancherial, had purchased another six tyres and tubes from the Firestone Company at a cost of Rs. 3,680-56 np. As regards these tyres and tubes the District Forest Officer now explained to him that there was a great demand for the special tyres in the market and they couldnot be secured whenever needed. The Chief Conservator of Forests reported, that the Conservator of Nizamabad circle had recommended that the excess purchase of tyres and tubes

might be sanctioned and the action of the District Forest Officer might be ratified. Concluding his letter to the Government, the Chief Conservator of Forests said that under the circumstances mentioned sanction might be accorded for the purchase of 12 tyres and tubes, six for immediate use and six for keeping in stock at, a cost of Rs 6,940/- He further requested the Government to ratify the action of the District Forest Officer in having purchased the tyres and tubes in anticipation as a special case.

Action in the Secretariat on the proposal was taken on 23-9-61 when the section put up a note on it. First it mentioned the facts stated by the Chief Conservator of Forests in his letter. It said the Chief Conservator of Forests permitted the District Forest Officer to purchase the six tyres and six tubes in view of the fact that if the lorry had been kept idle there would have been a loss of Rs. 100/- per day. The District Forest Officer had purchased six more tyres and tubes to keep them in stock for any emergency.

Further the section drew the attention to the fact that Government had issued instructions that expenditure on repairs and renewals to Government vehicles under the control of the Forest Department should not be incurred without prior sanction of the competent authority. The section then asked whether the proposal of the Chief Conservator of Forests might be accepted. But, continued the section note, the Chief Conservator of Forests might be requested to instruct the District Forest Officer not to incur such unauthorised expenditure in future.

On 26-9-1961 the Assistant Secretary recommended that the proposal might be accepted and the Deputy Secretary approved the note on 27-9-1961.

The file was then sent to the Finance Department. On 29-9-61 the Finance Department held that the reasons given by the District Forest Officer, Mancherial were not acceptable. "This is a clear case", said the note, "in which the District Forest Officer has exceeded his powers. Further, articles should not be purchased if they are not actually required". It then requested the Agriculture Department to consider the advisability of recovering the unauthorised expenditure from the District Forest Officer in consultation with the Chief Conservator of Forests. Continuing the section commented that the need was for six tyres and tubes for which the Chief

Conservator of Forests permitted the District Forest Officer to purchase. The excess tyres and tubes were required for stocking purposes. The purchase of six tyres and tubes were subject to furnishing certain information. The District Forest Officer was not competent to purchase 12 tyres and tubes. "He should have complied with the orders of the Chief Conservator of Forests. Any how the need is only for six tyres." Sanction, therefore, could be given to the six tyres only.

On this note of the section, the Financial Adviser wrote on 30—9—1961 that the remaining tyres and tubes "shall have to be returned to the company without any loss to Government":

When the file came back to the Agriculture Department the section put up a note on 9—10—1961. The note said that the District Forest Officer had purchased the tyres and tubes in the month of July 1961. It was not known, said the section, whether the company would accept the return of the six tyres and tubes after a lapse of three months. The Chief Conservator of Forests was competent to sanction the purchase of tyres and tubes, said the section note, and those which were in excess might be diverted to other vehicles in need of them. "The Chief Conservator of Forests may perhaps be requested to allot them to other vehicles". The note said that in view of this the Financial Adviser might be requested to reconsider the proposal. On this the Assistant Secretary wrote on the same day that "I do not think any company would accept the return of the tyres and tubes after a lapse of three months". The Deputy Secretary approved it and the file was sent to the Financial Adviser.

On 11—10—1961 the section wrote that the District Forest Officer had stated that six tyres could be returned to the company. Therefore, it could not be contended that the company would not accept the return of the tyres. Referring to the use of the tyres and tubes for departmental lorries, it pointed out that no scheme in respect of maintenance of departmental stores had so far been received. Even if it was submitted by the Chief Conservator of Forests it might take some more time to implement it and in the meantime the tyres and tubes would be kept idle and might worn out. Further the note said that it was not clear from the Chief Conservator's letter whether the tyres were actually required for other departmental vehicles. The allotment of those tyres to other vehicles, commented the section, therefore, did not arise. The section then put it for consideration

whether the Finance Department might again advise the Department of Agriculture to return the tyres and tubes to the company without any loss to Government.

The Financial Adviser on the other hand, did not agree with his section. He wrote on 12—10—1961 that the purchase of tyres and tubes over and above the immediate requirements was a waste and could be avoided. "In case the Forest Department requires the excess tyres for utilisation for other vehicles (only in case when actually required) I would not insist on their return to company". In the Department of Agriculture, the section put up a note on 14-10-61 for orders whether the Chief Conservator of Forests might be requested to utilise the excess six tyres and tubes for other departmental vehicles in need of them or whether sanction might be accorded for the purchase of six tyres and tubes and the District Forest Officer be requested to return the excess to the firm. On the same day the Assistant Secretary wrote as follows :- "The opinion of the Chief Conservator of Forests may be called for in the first instance whether as suggested by the Financial Adviser, he (C. C. F.) is in a position to utilise the excess tyres for other vehicles". The Deputy Secretary also approved it on the same day (i. e. 14—10—1961).

A memorandum was despatched to the Chief Conservator of Forests from Secretariat on 16—10—1961. It requested the Chief Conservator of Forests to state whether the excess of six tyres and tubes purchased by the District Forest Officer would be required immediately for use for other vehicles of the Department. If they were not required, the memorandum requested the Chief Conservator of Forests to state whether these tyres and tubes could be returned to the company. No reply was received in the Secretariat from the Chief Conservator of Forests for about a fortnight. The Secretariat sent a reminder to him on 29—11—1961. The Chief Conservator of Forests sent his reply on 20—12—1961. He wrote that the six extra tyres and tubes purchased were not needed for other vehicles in the Department. If they were returned the company would accept them. But, said the Chief Conservator of Forests, it was better to keep them in store. In an emergency the lorries would otherwise remain idle for want of tyres and tubes. These extra tyres would meet urgent requirement. He then requested the Government to sanction the purchase. On this letter of the Chief Conservator of Forests, the section in the Agriculture Department put up a note seeking orders on one of the following :—

- (a) Whether sanction might be accorded to the purchase of 12 tyres and tubes, or
- (b) Only six tyres and tubes might be purchased and the rest be returned to the company.

The Assistant Secretary on 26—12—1961 said that under the circumstances explained by the Chief Conservator of Forests in his letter, sanction might be accorded for the purchase of 12 tyres and tubes. He also requested the Financial Adviser to reconsider his decision. The Deputy Secretary wrote on 27—12—61 that in the co-ordination sub-committee meeting recently it was decided that spares should be purchased and kept in stock.

When the file was sent to the Finance Department, it was observed on 29—12—1961 that in the circumstances explained, there was perhaps, no other go except to ratify the action of the District Forest Officer in having purchased six spare tyres and tubes over and above the immediate requirements. Concluding the note, the section said.....“the District Forest Officer should be informed that in future he should not exceed his powers”. The Financial Adviser approved the note on 20—12—1961 and returned the file to the Department of Agriculture.

In the Secretariat Department, the Government order was prepared on 30—12—1961 and issued on 1—1—1962. The order said that the action of the District Forest Officer had been ratified by the Government as a special case. The order requested the Chief Conservator of Forests to instruct the District Forest Officer not to exceed his powers and incur expenditure without prior sanction of the competent authority. A sum of Rs. 6,940/- had been sanctioned for the purchase of 12 tyres and tubes. Later on 27—6—1962 the Chief Conservator of Forests sent a letter to the Secretariat drawing the attention of the latter to the fact that the Government had sanctioned Rs. 6,940 for the purchase of tyres and tubes. He said that the District Forest Officer had reported that the actual expenditure incurred was Rs. 6,957 i. e. Rs. 17 excess. He requested the Government to revise the original orders.

The section, Agriculture, put up a note on 17—7—1962. It said that the excess amount of Rs. 17/- was incurred on account of the

payment of sales tax to the company. It suggested that the proposal of the Chief Conservator of Forests might be accepted. The Assistant Secretary approved it on the same day. The Financial Adviser approved it on 20—7—1962. A memorandum was issued by the Agriculture Department on 21—7—1962 sanctioning Rs. 17/-.

Comment

In this case which deals with Government sanction for a sum of Rs. 6,957/- spent on purchasing tubes and tyres for a departmental lorry it will be noted that a period of nearly 11 months elapsed between the date of the Head of the Department initiating proposals at his end and the date of his final order. It is of interest to note that though the sanction was beyond the power of the Head of the Department he acted in anticipation of Government Orders. In doing so he was evidently accepted the plea that it is essential to have a set of spares for emergencies. The Administrative Department did not commit itself to this position and was willing to reject the plea and have the extra tyres returned but supported the Head of the Department only because the co-ordination committee which appears to have met in the interim had accepted the general principle that spares should be kept in stock. The acceptance of this proposal by Finance Department appears to be not based on the acceptance of the principles but because "there was no other go". In the result, the Head of the Department is no wiser than he was in the beginning as to whether it is proper in principle - to stock spares for emergencies.

It would appear, therefore, to us that in a special case if a general principle arises it should be thrashed out separately and guidance given to executive authorities rather than treat the matter of this type as "a special case". The question also arises whether in a case of this type greater delegation of powers to a departmental Head would not be desirable.

In passing it may be mentioned that though the Head of the Department had called for certain relevant information from the District Officer even at the very outset when he was sending the proposal to Government, the final orders appear to have been passed even without it.

TAIL PIECE : The sanction was accorded on 1—1—1962 but all concerned seem to have lost sight of the Sales Tax payable and for sanction to pay this sum of Rs. 17/- further period of $7\frac{1}{2}$ months was lost. Why or how nearly six months elapsed before this was detected is not known ?



7. THE APPOINTMENT OF A LIAISON OFFICER AND SKELETON STAFF FOR THE ESTABLISHMENT OF SYNTHETIC DRUGS PROJECT AT HYDERABAD.

On 30—6—1960 the Director of Industries & Commerce submitted a proposal to the Government of Andhra Pradesh for the creation of skeleton staff and the appointment of a liaison officer in connection with the establishment of Synthetic Drugs Project at Hyderabad. He stated that action had to be taken in this regard quickly. The data had to be collected, land acquired, labour tenements to be constructed power and water connections to be made. To obviate delays and co-ordinate the work of various departments, a liaison officer was necessary. The officer should be of the rank of a Superintending Engineer of the Public Works Department. The staff requirements were as follows :—

	No. of posts	Scale
1. S. E. liaison officer	One	Rs. 1,000-1,2000
2. Superintendent	One	,, 150-300
3. U. D. C.	Two	,, 90-180
4. L. D. C.	One	,, 50-120
5. Stenographer	One	,, 50-120
6. Peon	Two	,, 26-40

On receipt of this proposal, the concerned section in the Secretariat, Industries Department, put up a note on 20—7—1960. It stated the facts mentioned by the Director and said that the Director of Industries & Commerce proposed the appointment of a Superintending Engineer as liaison officer in the scale of Rs. 1,000-2,000. The section remarked that “as the officer is to be borne on the Industries Service, the pay scale of the post should be on par with the scales of pay for other similar posts in the department. In view of this and as there is no post in the Department in the scale of Rs. 1,000-2,000 it seems sufficient if a post in the grade of Joint Director i. e., Rs. 700-1,000/- is sanctioned for this purpose”.

The section further commented that a post of Superintendent in the scale of Rs. 150-250 might be sanctioned as against the scale of pay of Rs. 150-300 proposed by the Director. If the modifications were agreed to, then the extra cost on account of the appointment of the additional staff would be Rs. 19,000/- p. a. As the extra expenditure exceeded the monetary limit of Rs. 10,000/- p. a., the proposal had to be placed before the Standing Finance Committee for its sanction. However, in view of the urgency for the appointment of additional staff for the speedy establishment of the Project, the additional staff might be sanctioned without reference to the S. F. C. after obtaining orders in circulation including the Chief Minister and the Minister for Finance.

The suggestion of providing funds for these posts in the Budget Estimate for 1960-61 might be taken up later by the presentation of Supplementary Estimates if the Director of Industries & Commerce was unable to meet the amount from the existing budget provision by re-appropriation. The section said that the file might also be seen by the Finance Department for their remarks.

The Assistant Secretary approved it on 22-7-1960. From him the file went to the Secretary of the Department. The Secretary commented on 27-7-1960 as follows: "How does the scale of Rs. 700-1000 tie up with the scale of Superintending Engineer?"

To the query raised by the Secretary, the section of the Department pointed out that the pay scale of the Superintending Engineer in the Public Works Department was Rs. 1000-1200 while the pay scale of the Joint Director, Industries was Rs. 700-1000/-. The Director of Industries & Commerce wanted a liaison officer of the rank of Superintending Engineer. As the officer would be borne on the cadre of the Industries & Commerce Department, it would be appropriate to adopt the scale of pay obtaining in the Department. The Director had proposed the post of liaison officer in the grade of Superintending Engineer so that it might be filled by the appointment of a senior Superintending Engineer of the Public Works Department. It was doubtful whether the Public Works Department would spare the services of a senior Superintending Engineer for the purpose. "In view of this it has been suggested that the post might be created in the grade of Joint Director, i. e., Rs. 700-1000 so that it may be filled by the appointment of a senior Executive Engineer who is in the grade of Rs. 500-850/-". These comments were made by the section on 28-7-1960. After seeing the file, the Assistant

Secretary sent it to the Secretary. The Secretary observed on 9—8—1960 as follows: "Discussed today with the Director of Industries & Commerce. I think we should have a proper Superintending Engineer in the regular scale. We do not want an Executive Engineer who is to be promoted.....?"

The file was then sent to the Finance Department. On 11—8—1960 the Financial Adviser commented that, "to start with we may create one post of Executive Engineer and obtain the services of an experienced Executive Engineer from the Public Works Department. He may be assisted by the following staff:

Supervisor	...	One
U D. C.	...	One
L, D. C.	...	One
Stenographer	...	One
Peon	...	One

As and when the work gains momentum we may think of upgrading the post to that of a Superintending Engineer". The Finance Secretary saw the file on 14—9—1960. The file was returned to the Industries Department.

The section (Industries) pointed out that the Finance Department had not agreed to the creation of the post of Superintending Engineer. They had agreed, instead, to the creation of one post of Executive Engineer. It further pointed out that the Finance Department had agreed to the creation of one post of Supervisor and not of Superintendent. They had also reduced the number of U. D. C. posts from two to one. On this the section drew the attention to the observations made by the Secretary, and sought orders whether the sanction of the Government be obtained for the creation of posts as agreed to by the Finance Department or it should be sent for reconsideration. This note was put up by it on 4—10—1960 and the Assistant Secretary saw it on 7—10—1960. The Secretary of the Industries Department made the following observation: "I hope the Finance Secretary will forgive me if I do not quite understand the "organic" and the "momentum" theories of the Financial Adviser. If the size and importance of a work call for the appointment of a Superintending Engineer, then in my view, that position should be recognised right from the start. In fact it seems to me that the work could be even more important at the beginning, as plans have to be scrutinised

and the correct lines of construction indicated. I make these observations because there seems to be a tendency to secure what I consider an illusory balance between what is needed and what is to be sanctioned. The building programme is not like a baby who needs a nurse at the earlier stages and then a teacher or a professor when the baby grows into manhood. If the size of the work does not warrant, in Finances' opinion, the creation of the post of Superintending Engineer, they may kindly and clearly say so". From here the file was again sent to the Finance Department.

On 27—10—1960, the Finance Secretary gave his opinion as follows : "There is no mention of any 'organic' theory, in the opinion of the Finance Department, which however, still holds the view that the nature and size of the staff to be sanctioned for any scheme must have a very close relationship with the nature and volume of work involved. In the present case, it seems the Department wants to entrust to the Superintending Engineer all the functions which are now being legitimately carried out in several existing government agencies such as Electricity Board, Public Health, and the Public Works Department by the Executive Engineer. This appears to be unnecessary. All that is required is to have an officer of sufficient standing who can go round, meet the concerned officials at the various levels and see that the things move faster than they would do in the normal course. The work in each field will in any case has to be done by [the normal government agency and not by this officer. Finance Department, therefore, still holds the view that an officer of the status of Superintending Engineer is unnecessary and it would be sufficient to have an Executive Engineer with the staff indicated".

The file came back to the Secretary. Industries and he, on 28—10—1960, said that he should not press this case further, unless the Director of Industries and Commerce felt strongly about it.

From the Secretary it went to the Deputy Secretary who, on the same day wrote on the file that the Director of Industries & Commerce (D. I. C.) might, perhaps, be told about it by the Secretary. He, however, gave his personal opinion on the subject. "May I venture to add that in my humble opinion the stand taken by the Finance is very reasonable".

The same day the file was sent to the Secretary and he commented that he had discussed the matter with the Director of Industries & Commerce that day itself and the Director of Industries &

Commerce was strongly pressing the case. The Secretary, further observed : "The point to be remembered is that it is a Government of India project and whatever we have to do at our end should be free from defect. This is an Rs. 8 crore project and the Government of India are quite likely to be severely critical of any shortcomings on our part. This is possibly the only Central Government project being situated in Andhra Pradesh and we should be careful to see that we do not create an adverse impression about what we can do. Any failing on our side in the case would be quoted against us in the future projects to be considered for location in Andhra Pradesh.

"The Superintending Engineer will have frequent occasions for tying up with both the Soviet experts and Government of India officers and I think it would be well that we have an officer of some status and experience such as Superintending Engineer. The Director of Industries and Commerce feels and I am inclined to agree with him that if we cannot have Superintending Engineer's post sanctioned, it would be better to ask the Government of India to do this work themselves. I request the Finance Secretary to be so good as to reconsider his conclusions".

The file was sent to the Finance Secretary on 31—10—60, and he said that the orders might be obtained in circulation.

The section (Industries) prepared a note for circulation. The note said that with the technical and financial collaboration of the U. S. S. R. Government, the Government of India were setting up a number of projects in the country. One of these, the project for manufacture of Synthetic Drugs was going to be located in Hyderabad. Its capital cost was estimated to be Rs. 8 crores. A team of Russian experts visited Hyderabad in January, 1960 in connection with the investigation for the selection of a suitable site for locating the project and that after a detailed study of the various sites, a site at Sanathnagar was finally selected. The Russian experts requested certain data and information in this connection and the Director of Industries and Commerce had furnished the data required and that action had now to be taken by the Director of Industries & Commerce in respect of the following :

1. Collection of data on soil condition.
2. Acquisition of land for the factory.
3. Construction of labour tenements and staff quarters.
4. Implementation of the water supply scheme.
5. Construction of lagoons.
6. Provision of water and power connections to the site required for building construction.

The note also pointed out that Sri Manubhai Shah, Minister for Industries, Government of India during his recent visit to Hyderabad had suggested that a liaison officer be appointed for follow up action and for co-ordinating the work to be undertaken by the different departments in regard to the establishment of the Synthetic Drug Projects.

The note for circulation then dealt with the proposal of the D. I. C. for the sanction of a post of a senior Superintending Engineer and other staff. The proposal, said the note, was examined in the Finance Department and they had suggested some changes in the staff. Important change suggested by the Finance Department was that an Executive Engineer and not a Superintending Engineer be appointed as liaison officer. The Finance Department was requested to reconsider their conclusions in regard to the creation of the liaison officer in the cadre of Superintending Engineer and other skeleton staff in view of the importance of the scheme, but they suggested that orders be obtained in circulation. The note referred to the remarks of Secretary, Industries, and Secretary, Finance.

Finally the note mentioned the alternative decisions for approval as follows :

- (a) In the circumstances, the Department might agree with the conclusions arrived at by the Finance Department in respect of the staff other than the post of Executive Engineer.
- (b) In view of the importance and size of the work involved in the project, the Department would strongly support the proposal of the Director of Industries and Commerce for the creation of a post of Superintending Engineer.

The file was circulated to the Chief Minister and the Finance Minister. The note was prepared on 3-11-1960. Assistant Secretary, Industries signed on 4-11-1960, the Secretary on 5-11-1960, the Chief Minister on 5-11-1960 and the Finance Minister on 11-11-1960. The note was approved in favour of the Department of Industries. After obtaining the orders in circulation, the section, Industries Department, prepared a draft Government order for approval. It added that the Director of Industries & Commerce had not specified the period for which the staff was proposed. On this point, the section opined that the Government might sanction the posts, in the

first instance, till the end of the current financial year. The section also suggested that the Financial Adviser might see the order before it was issued. This was put up by the section on 14—11—1960, the Assistant Secretary approved on 15—11—1960, and the Secretary on 15—11—1960.

When the file was sent to the Finance Department, the Deputy Secretary, Finance stated that the Finance Secretary should also see it. He, however, added that "it may not be out of place to mention that this will be the second post of Superintending Engineer in Director of Industries & Commerce's office.....as orders have already been obtained in circulation of the Department for the creation of Public Works Department Circle within Director's office for Industrial Estates". This observation was made by the Deputy Secretary, Finance, on 17—11—1960 and the Finance Secretary approved it on 28—11—1960. The Government Order was issued on 1—12—1960.

The Director of Industries & Commerce wrote another letter to the Secretary, Industries, on 18—3—1961, stating that the staff was sanctioned only upto 31—3—1961. He stated that the staff was still needed and requested for its extension by another six months from 1—4—1961. On this, nothing was heard from Government for some time. The Director of Industries & Commerce sent a reminder to Government on 14—4—1961. The Government Order was issued on 16—4—1961 approving the proposal of the Director.

Comment.

The case which was dealt with as an urgent one has taken five months for disposal in the Secretariat. After the initial approval of the proposal in a slightly modified form it had to be referred back for extension of the period of sanction — this order taking another 28 days for its issue.

Two matters are highlighted by this case. The first is the "suggestive noting" at lower levels mentioned by the Andhra Pradesh Administrative Reforms Committee Report (p. 23). The second is the procedural aspect showing what happens when two Secretaries to Government are not able to see eye to eye with each other.

Taking the first point first it cannot escape one's notice how the section which really means the U. D. C. and/ or the Superintendent have taken the liberty of criticising the proposals and made

suggestions. This is opposed to the rules in the Secretariat Manual and has been commented upon by the Administrative Reforms Committee of Andhra Pradesh. Yet, fairly major changes were suggested by the section.

Arising out of this is the next stage which gave rise to a difference of opinion between the Secretaries. The Financial Adviser concurred with the views of the section in the Industries Department and he was supported by the Finance Secretary. After further exchange of views between the two Secretaries - sticking to their guns - the Secretary Industries contented himself by saying that he would not press the case unless the Head of Department feels strongly about it. How or why it went to the Deputy Secretary (Industries) at this stage is not clear but Deputy Secretary is on record now to say that he felt that the stand taken by Finance is "very reasonable". Immediately after this the Secretary (Industries) and the Head of the Department met and as a consequence the former pressed for the acceptance of his views. As the Finance Department was not inclined to reconsider the matter, it had of necessity, to go to the next higher level of Ministers. Purely from the point of view of procedure it would be pertinent to point out that as the Finance Minister accepted the proposal of the Administrative Ministry, the file was circulated to the Finance Department officers to keep them informed.



8. APPOINTMENT OF SPECIAL STAFF FOR THE COLLECTION OF ARREARS OF FOREST REVENUE IN THE FOREST DEPARTMENT.

In the Forest Department, there were arrears of forest revenue. With a view to realise these large sums, the Chief Conservator of Forests sent a proposal on 21—9—1960 to the Secretary, Agriculture Department. Therein he stated that some forest contractors had become defaulters. The Chief Conservator of Forests argued that owing to the increase in work the Collectors and Tahsildars were not able to collect the forest revenue arrears. He referred to the suggestion made by the Conservators of Forest Department for appointing special Deputy Tahsildars and argued that there were some practical difficulties in their appointments. He instead made the following suggestions for the speedy recovery of arrears :—

- (a) Empower the officers of the rank of Range Officers (R.Os.) and above with this work.

or

- (b) Appoint special R. Os., wherever necessary.

or

- (c) Sanction special Deputy Tahsildars for Adilabad, Nizamabad and Karimnagar.

In the Secretariat, the section (Agr.) put up a note on 7—2—1961. It referred to the arrears in the Forest Department mentioned by the Chief Conservator of Forests, and said that some of the defaulters appeared to have left for Pakistan. An urgent action should be taken to collect arrears. It mentioned the three alternatives suggested by the Chief Conservator of Forests. The Chief Conservator of Forests preferred the second alternative (i. e. to appoint special Range Officers) on the ground that the forest subordinates were likely to take more interest in the work for fear of disciplinary proceedings. The Board of Revenue supported the second alternative proposal and had recommended that the special Range Officers might be invested with power of Tahsildar to sell distrained property.

On this the Deputy Secretary observed “In the circumstances the department may agree to the proposal in principle and the Chief

Conservator of Forests may be asked to submit necessary proposal for the actual number of posts of special R. Os, to be created".

The section put up a note stating that as distraint and sale of immovable property involved long and difficult procedure and verification of revenue accounts, authorisation for which was not generally given to officers of other departments. If Range Officers in Telangana were to be authorised in this behalf it might involve the Government in litigation. It might therefore be considered whether the first of C. C. F's. alternatives (that the forest officers of and above the rank of R. Cs might be empowered) should be approved for the present as experimental measure for six months. The section also suggested that Revenue, and Finance Departments should see the file. On 16-2-61, the Assistant Secretary commented that "there seems to be no question of litigation as the special Range Officers will exercise the same powers as those of a Revenue Officer". The Deputy Secretary also signed on the same day.

When the file was sent to the Revenue Department, its section pointed out on 10-3-1961 that the C. C. F. had given three alternatives and the Revenue Department might agree with the Agriculture Department.

The Assistant Secretary requested the Secretary to offer his remarks. The Secretary wanted to know on 13-3-1961, "What is the position in C. T. Department ? I think the officers of that Department have been empowered to distraint property but the powers of sale are not given to them. Please verify". To the query of the the Secretary, the section put up the following note :

The Board of Revenue suggested that Government might be pleased to invest Deputy Commercial Tax Officers and Assistant Commercial Tax Officers of the C. T. Department, with the powers of a Tahsildar under section 7 of the Madras Rent and Renewal Sales Act, 1839. The sale of the goods effected had to be made only by Tahsildars and this was found to be a slow process of collection of arrears. This proposal was examined by the Agriculture Department separately in consultation with the Board of Revenue. The Board had reported that the existing practice of sale by Tahsildars or those who were placed under their authority with the prior approval of the Collector might continue in all the cases of attached moveable property by the officers of C Tax. In respect of the Forest, Department the Board

had proposed to delegate the powers of a Tahsildar to sell distraint property under the provision of the Madras Rent and Revenue Sales Act, 1839 to special Forest Range Officers (F. R. Os.). The Assistant Secretary approved it on 20—3—1961 and the Deputy Secretary on 21—3—1961. From here the file was sent to the Finance Department.

The section (Finance) on 23—3—1961 stated that it was not clear what the Forest Department was doing for the last seven years in regard to the recovery of the arrears. The arrears were huge and they should be recovered in the shortest possible time by adopting effective measures as suggested by the Department. The Finance Department, however, felt that there was no need to appoint special R. Os. for the collection of the arrears as proposed by the Department. With a view to avoid additional expenditure perhaps it would be enough, if the concerned R. Os. were delegated with the necessary power of Tahsildars under the provisions of Madras Rent and Revenue Sales Act 1839 as proposed by the Revenue Department. The concerned R. Os. would attend to the work along with their normal duties. "It may also be impressed upon the Agriculture that at this time of acute financial stringency, it is extremely difficult for the Finance Department to entertain proposals involving incurrence of fresh expenditure. The F. Os.¹ of and above the rank of R. Os. will hardly have any work. Finance is vitally interested in the speedy recovery of the arrears. Hence the Department would suggest that the above officers should be switched over to the work relating to the recovery of forest revenue arrears because the Government is in dire need of all that money which is outstanding for a long time. This Department may also request Agriculture to insist on the Chief Conservator of Forests to launch a vigorous drive to realise the outstanding arrears as early as possible. Otherwise it will be a problem for the Government to collect those arrears".

The Financial Adviser observed that the Finance might agree to the aforesaid first alternative as suggested by the C. C. F. The file was returned to the Agriculture Department.

The section stated on 7—4—1961 that the Board of Revenue which was consulted had recommended the proposal in item (ii). But the Agriculture Department considered that to carry on and finalise distraint proceedings relating to immovable properties one must have

1. Forest Officer.

knowledge of revenue, that no other officer was given the power and that there was no reason why an exception should be made here. This Department, said the section, therefore, suggested that the proposal of the C. C. F. in item (i) might be accepted as an experimental measure for a period of six months. The revenue and the Finance Department had accepted the proposal. The section suggested that the case might be circulated to the Chief Minister, who was in charge of the Forest portfolio, and the Deputy Chief Minister for orders. The Assistant Secretary signed on 10-4-1961. The Deputy Secretary remarked on the file that the G. O. might have to come from Revenue and not from the Agriculture Department (10-4-1961). On 15-4-1961, the Chief Minister observed: "Collections must be brisk".

The file was then sent to the Deputy Chief Minister, who was also the Minister for Revenue. He observed on 22-4-1961 as follows: "On an experimental basis the proposal is agreed to. An experiment is to be made. In my view it is proper to consider the question of delegation of such powers to the Assistant Conservator of Forests after six months". These remarks were made in Urdu. The Private Secretary to the Deputy Chief Minister translated into English on 25-4-1961. The file was returned to the Agriculture Department.

In a second letter (13-4-1961) the Chief Conservator of Forests reiterated his earlier proposal for staff. He said, the matter was discussed with the Chief Minister and the latter wanted a list of big defaulters. A detailed report had been submitted to Government for the appointment of special Deputy Tahsildars. He requested early orders from the Government. Again on 21-4-1961, the Chief Conservator of Forests wrote a D. O. letter to the Secretary. In that he said he had discussed the matter with the Chief Minister and the Secretary. He sought early orders on the proposals.

In the Secretariat the concerned section (Agriculture) acted on the letter on 22-4-1961. It said that the main file on the subject was circulated to Deputy Chief Minister on 17-4-1961 with a proposal to delegate powers to the R Os., for the sale of the moveable property of the defaulters. The C. C. F. during the discussions on 21-4-1961 with the Secretary and Deputy Secretary had suggested the appointment of Deputy Tahsildars to attend to the collection of arrears of forest revenue. The section prepared a draft D. O. letter

for approval. The Assistant Secretary and the Deputy Secretary approved it on the same day.

A D. O. letter was sent by the Deputy Secretary to the C. C. F. on 22-4-1961. In it, the latter was requested to give details of number of posts of Deputy Tahsildars and divisions and its financial implications. He was also requested to send the remarks of Board of Revenue. The C. C. F. sent his reply to the above letter on 11-5-1961. He said that there were nearly 40 lakhs of rupees in arrears. He also gave the break up of four circles. The arrears were heavy in Nizamabad and Adilabad Districts. To tackle the problem, special Deputy Tahsildars should be appointed. Originally he had suggested only three posts of Deputy Tahsildars. Now, he suggested five posts of Deputy Tahsildars. These posts were necessary for collecting the arrears. The scale of pay should be Rs. 180-250. They would work under the C. C. F. directly. Orders would be issued to them from the head office. The Deputy Tahsildars needed the help of one last grade employee each in the scale of Rs. 26-40.

Since these officers would work directly under the headquarters the work of the latter office would increase. Therefore, the two posts e.g., one U. D. C. - (Rs. 90-120), and one L. D. C. - (Rs. 50-120) may be created.

The Secretariat section (Agr.) put up a note on this letter of the C. C. F. on 5-6-1961. It reproduced the facts stated by him regarding the staff. The additional cost of the staff was estimated at Rs. 26,000/-. The section opined that it might be necessary to consult the Board of Revenue on the proposal of the C. C. F. It was seen by the Deputy Secretary on 6-6-1961 and the Secretary on 12-6-1961.

On 2-8-1961, the Secretary, Agriculture Department wrote on the file that Minister for Agriculture had pointed out that over 40 lakhs of rupees were outstanding for collection in the Forest Department. The proposal for special staff for recovery should be expedited. "I have told him that the alternative proposal for empowering forest officers under the L. R. R. Act is also being examined.....Quick action needs to be taken so that dues are collected without loss of time". This was addressed to the Deputy Secretary.

The section noted (on 3—8—1961) that the remarks of the Board of Revenue were awaited. The Assistant Secretary signed on 4—8—1961 and Deputy Secretary the next day.

The section put up a note on 20—10—1961 on the original proposals of the C. C. F. It said that the Revenue and the Finance Departments had agreed with C. C. F.'s suggestion. The proposal was approved in circulation to the Chief Minister and the Deputy Chief Minister. The section noted that as desired by the Chief Minister, the C. C. F. had submitted a note regarding the arrears of revenue. The C. C. F. discussed the matter with the Chief Minister on 13—4—1961 and with the Secretary on 21—4—1961. The C. C. F. reconsidered his earlier proposals and recommended the sanction of the following staff :—

1. Deputy Tahsildar – Kurnool circle – 8 divisions
Scale of pay Rs. 180-250 with one peon – Rs. 26-40.
2. do Kakinada (7 divisions)
3. do Nizamabad (4 divisions)
4. do Nizamabad (3 divisions)
5. do Warangal (7 divisions)
6. One U. D. C., Rs. 90-180
7. One L. D. C., Rs. 50-120

Total staff, of 5 Deputy Tahsildars, 5 peons, one U. D. C. and one L. D. C. was requested. The C. C. F., said the section, had given the following reasons in support of his proposal :

- a. The revenue arrears amounted to Rs. 40 lakhs.
- b. The Revenue Department had been moved to collect the arrears but the Tahsildars were unable to bestow attention on this work.
- c. The rangers were already saddled with multifarious duties. Hence the employment of special staff of Deputy Tahsildars was essential.

The section invited the attention to the extract of the D. O. of the Chief Secretary wherein the Departments concerned were asked to launch a vigorous action for the collection of arrears, such as rentals due to the Public Works Department, Forest, receipts and auction

amounts etc. The section noted that the need for collection of arrears was vital and the staff expenditure involved was only Rs. 26,000/-. The proposal of the C. C. F., therefore, might be accepted. This was put up on 20-10-1961. On 24-10-1961 the Assistant Secretary observed that the proposal of the C. C. F. for the employment of staff might be agreed. On the same day the Deputy Secretary observed : "Agreed. There are arrears forty years old too and are in lakhs. It is stressed that the recent instructions (that sanctions on new staff should not be given) should not be applied to this. If applied to this arrears will continue and the Department will find itself helpless". From here the file was sent to the Joint Secretary and he made the following comments on 25-10-1961 : "The staff is undoubtedly needed for collection of arrears.....The Chief Conservator of Forests should scrutinise all the arrears and when there is no possibility of recovery, proposals for write off should also be sent."

The file was sent to the Revenue Department and there it was commented that the proposal which was acceptable to the Board of Revenue might be accepted in the Revenue Department also (2-11-1961). From there, the file was passed on to the Finance Department. The section put up a detailed note on the proposal on 8-11-1961. It said if the divisions were arranged according to forest circles, some of the divisions in Nizamabad circle could be transferred to Warangal circle. If this was done, there could be a proportionate reduction of staff and amount. Instead of five, four Deputy Tahsildars would be needed. Secondly the Deputy Tahsildars should send monthly progress reports to the Government through the C. C. F. Third, said the section, the C. C. F. might also be asked to prescribe a minimum collection of Rs. 80,000/- per month per circle. As regards the sanction of the additional staff for the office of the C. C. F., the section said, the Finance Department might agree to sanction a post of U. D. G. only. With regard to the provision for meeting the cost of establishment, the Agriculture Department had not indicated the source from which it would be met. The proposal in this file would fall under 'new service' and Agriculture Department would have to follow the prescribed financial procedure in this case.

The Financial Adviser expressed a different opinion on the proposal. He said : "in view of the heavy arrears to be collected, Finance may agree to the proposal of Agriculture. The present

sanction may, however, be restricted to the end of June, 1962, so that further extension in the tenure of the staff might be considered in the light of the progress of collections during the first six months". He signed it on 9-11-1961. The file was returned to Agriculture Department.

In the Agriculture Department, the section prepared a note for circulation on 28-11-1961. In it all the important facts were mentioned. It referred to the original proposal of the C. C. F. in which three alternatives were given. The Chief Minister and Deputy Chief Minister had approved the first of the three alternatives. At that stage the C. C. F. as desired by the C. M. submitted a note regarding the arrears. Again, he discussed with Chief Minister and the Secretary, Agriculture. Afterwards, the C. C. F. reconsidered his earlier proposal and recommended for the appointment of Deputy Tahsildars etc. The Board of Revenue which was consulted on the issue, had agreed to this. The Financial Adviser also agreed but restricted it to the end of June, 1962.

According to the procedure, said the note for circulation, the sanction of the Standing Finance Committee had to be obtained but in case of extreme urgency when there was no time to refer it to the Standing Finance Committee, orders might be taken in circulation to the Ministers concerned, i.e. the Minister for Finance, and the Chief Minister. Since the arrears were mounting up and orders had to be issued immediately, the case might be circulated to Minister for Agriculture, Minister for Finance, the Deputy Chief Minister and the Chief Minister for sanction of additional staff of five Deputy Tahsildars and others.

On this note, the Assistant Secretary pointed out on 28-11-1961 : "I agree up to June, 1962. Let us watch the progress of collections and then consider again about further expansion". The Deputy Secretary and the Secretary signed on the same day. The Minister for Agriculture approved on 29-11-1961, the Finance Minister on 4-12-1961 and the Chief Minister on 19-12-1961.

The section (Agriculture) then put up draft G. O. for approval on 25-12-1961 which was signed by the Deputy Secretary on 26-12-1961. It was sent to the Finance Department where the Financial Adviser signed on 29-12-1961. The Finance (B. G.) passed it on 5-1-1962. Then it was returned to Agriculture Department.

The Agriculture Department issued the G. O. on 8--1--1962.

Comment

This case deals with a major issue connected intimately with finance. As the action contemplated involved invoking of certain powers under Revenue Law, the Board of Revenue and the Revenue Department in the Secretariat also came into the picture. The Board of Revenue, it may be pointed, is not only a Head of a Department but is a category by itself with certain statutory powers. The Forest Department, though an independent one, is closely associated with the Board. For a clearer appreciation of the facts of this case it would be necessary to keep in mind the fact that the Chief Minister also held the Forest portfolio at one stage but towards the end of the period of this case it was transferred to the Minister for Agriculture. The Deputy Chief Minister was also the Revenue Minister.

The way consultations are done between Secretariat Departments and Heads of Departments and also the practice of Departments consulting each other before sending proposals to Government are illustrated well in this case. The manner in which the Head of Department reconsiders his proposals and modifies them as a result of scrutiny and suggestions from the Secretariat is also illustrated. It should be pointed out here that though the issue raised pertained to a technical department, the subject matter was an administrative one, and the Head of the Department at the time was a generalist administrator.

A total time of 15½ months was needed before final order was issued. During this period the file goes through the several stages with suggestions from the different departments. The proposal itself is modified in the process.

A point which stands out rather prominently is the amount and nature of noting in the lower levels of the Secretariat.



9. PURCHASE OF A LORRY BY THE DIRECTOR OF INDUSTRIES AND COMMERCE FOR THE GOVERNMENT CERAMIC FACTORY, GUDUR.

On 25—10—1957 the Director of Industries and Commerce sent a letter to the Secretary, Industries Department requesting the Government's sanction for the purchase of a lorry for the Government Ceramic Factory, Gudur. He gave the following reasons for the purchase of the lorry. In the Government Ceramic Factory two new kilns had increased. The finished products had to be moved to the consuming centres by lorries. Hitherto the despatches were made by private lorries. The transport charges for the private lorries were on the increase and often lorries were not available. The Director's letter said that in 1956-57 the transport charges amounted to Rs. 13,322.

If a lorry was purchased, argued the Director, it would be economical and convenient for the factory. Expenditure on transport could be very much reduced. The expenditure on the proposed lorry would be :

Non-recurring	...	Cost of lorry and spare parts Rs. 42,200.00
Recurring	...	Tax for lorry, inspection fee, parts Rs. 25,030.00

Till now transport charges were Rs. 13,000/-. This was likely to increase to Rs. 4,000/- in view of the increased production of the factory.

The Director said there would be a saving of Rs. 25,000/- for the Department if a lorry was purchased.

To man the lorry, he requested Government sanction for the creation of the following posts :

2 Drivers	...	Rs. 40-70 P. M.
3 Cleaners,	...	Rs. 18/- P. M.
and 18 Coolies		

Nothing was heard from the Secretariat and a reminder was sent on 6—12—1957. There was no reply from the Government.

The Director again sent two reminders one on 16--1--1958 and the other on 14--2--1958.

On 1- 2--1958 a memorandum was sent from the Secretariat to the Director requesting him to state why two drivers, three cleaners and eighteen coolies were required for the maintenance of one lorry. Since no reply from the Director was received in the Secretariat, the latter sent a reminder to the former on 3--3--1958.

The Director replied on 23--3--1958 to the query raised by the Secretariat on 1--2--1958. He said that the staff requested was based on shift system. One driver could not cope with the work continuously. Nine coolies one cleaner and one driver were needed for every shift. One cleaner was to be kept in reserve for emergency.

After receiving this reply the Secretariat sent another memorandum to the Director on 23--4--1958 requesting the latter to state if any provision had been made in the budget estimate for 1958-59 for the purchase of a lorry. It further requested the Director to indicate the head of account to which expenditure could be debited.

The Director replied to this on 1--5--1958. He pointed out that no provision was made in the budget. The necessary provision could be made on receipt of Government sanction. The expenditure could be debited to "72., Capital Quality". The Director awaited Secretariat's reply for about one month and sent a reminder on 9--6--1958.

In the meantime the Government sent its reply to the Director on 5--6--58. The Secretariat letter said that since there was no provision in the current year's budget for the purchase of the lorry the proposal might be brought forward as a Part II Scheme for the year 1959-60. The Director was requested to furnish the actuals on transport after the expansion of production of the factory.

This proposal was renewed by the Director on 16--7--1958. It was pointed out by him that the production of the factory had increased from 2,40,000 to 6,00.00 lbs. during the year 1957-58. The transportation was being made by rail and lorries. Sometimes it was difficult to get the allotment of railway wagon. Transport by railways was causing damage to the goods. Only lorries were good for the purpose but the private lorries were costly, the cost of which would come to Rs. 40,000. At times the lorries were difficult to hire and

the rates were prohibitive. He repeated his earlier argument that the raw material and coal had to be transported from mines and railway station. Prompt deliveries of the goods was not possible by private lorries. Therefore, he urged the purchase of the lorry to cut down costs of transport and to avoid dependence on private lorries.

The Director pointed out that no provision was made in the budget. He requested the Government to sanction the money and also intimate the Accountant-General. Provision could be made later either through reappropriation or supplementary grant. If this was not possible, pending the approval of the legislature, he asked for an advance from contingency fund.

While the letter of the Director was under consideration in the Secretariat, the Control Board¹ met on 11-7-58 and requested the Government to accord immediate sanction for the purchase of the lorry so that it could be procured by the time the expansion programme was completed. On this, the Secretary, Industries, observed as follows on 14-7-1958: "The lorry proposed may be purchased, in view of the Control Board's recommendation."

The concerned section in the Industries Department (Secretariat) put up a note on the letter of the Director (of 16-7-1958) on 23-7-1958. It reproduced all the facts mentioned by the Director in his letter for the purchase of the lorry, i. e., the need for a lorry, cost involved, savings, etc., if it was purchased. It pointed out that last year the Secretariat had asked the the D. I. C. to bring it as a part of Part II Scheme. The section noted that the Control Board had also recommended the purchase of the lorry. As no provision existed under major head "72, Capital Quality" for incurring above expenditure, the D. I. C. might be asked to meet the same by reappropriation or by making provision in the revised estimates. As the matter was urgent, the short circuit procedure might be adopted in this case as per G. O. Ms. No. 1023 dated 30-9-1957 of Finance Department. The Finance Department might see the file before the circulation, said the section. On this, the Assistant Secretary commented that the recurring expenditure of Rs.25,000/- could be reduced further if the extra third cleaner was cut out and the revised scale for the drivers was adopted. He further stated that "In view of the

1. It is an advisory body in the Department of Industries and Commerce.

urgency the scheme may be sanctioned in the current year as recommended by the Control Board which included the Finance Secretary. The expenditure may be met by reappropriation and by means of a supplementary grant". He put up this note on 27--7--1958. It was then sent to the Secretary who approved it on 29--7--1958.

From here the file was passed on to the [Finance Department. The Finance Secretary observed as follows: "Agreed as above. I would prefer reappropriation to supplementary grant". It was seen and approved by the Chief Minister on 3--8--1958.

After receiving the file back, the section (Industries) prepared a draft order for approval on 9--8--58. It stated that after the issue of draft order, a short note for circulation might be submitted, so that it might be circulated among the members of the Standing Finance Committee. It opined that the Finance Department should see the file before the order was issued. The Assistant Secretary observed (on 14-8-1958) that the expenditure would be less if one cleaner was cut out and the new scale adopted for the driver. He asked the section to work out the details.

Accordingly the section worked out the details and said (on 20--8--1958) that the revised recurring expenditure would be Rs. 24,550/- instead of Rs. 25,000/-. It also pointed out that no reduction was possible on the driver's scale as the basic pay of the driver, even after adopting the new scale, would be same (i. e. original scale was 40-70 and the revised was 40-50). The file was sent to the Assistant Secretary. He (on 24--8--58) noted that in the previous estimates daily wages at the rate of Rs 1-4-0 for each cleaner was adopted and wanted to know what pay was actually required for the cleaner.

In the meantime Director addressed a letter (on 22--8--1958) to the Government. In it he drew the attention of the Government to the proceedings of the Control Board Meeting in regard to the purchase of the lorry. He quoted the recommendation of the Board and observed that the need for a lorry was "real and urgent". Considerable saving would be effected if it was purchased. He said that the money might be sanctioned from the consolidated fund. Further, he said, sanction might be accorded for the following posts:—

One Driver	..	Rs. 50-2-60
One Cleaner	...	Rs. 20-1-30

It might be mentioned, in this connection, that the Director revised his earlier proposal regarding the staff requirement.

The section (Industries) acted on this letter of the Director on 4—9—1958. It drew the attention to the fact that though the number of posts were reduced (from two drivers to one, and three cleaners to one) the Director had not revised his proposal in respect of the recurring cost of Rs. 25,000/-. The scale of pay originally proposed differed from the scales proposed now for both the posts. The Director was asked to clarify the following points :—

- (a) the actual requirements so far as the posts of driver and cleaner were concerned,
- (b) the actual scales of pay in force in the present set up for driver and cleaner.
- (c) the expenditure per annum for a driver and cleaner separately, and
- (d) revision the proposal in respect of recurring cost in the light of his present proposal.

On this section note, the Assistant Secretary commented (on 12—9—1958) as follows :—

“In his estimate the recurring expenditure of Rs. 25,000, the D. I. C. had included two drivers and three cleaners. Now he wants one post of driver and one post of cleaner also to be sanctioned. The actual number of posts required is not clear”.

A memorandum was sent to the Director on the above lines on 13—9—1958 and was asked to clarify the points raised. The Director sent his reply to the memorandum on 28—9—1958. In it, he said that on further consideration it was considered to have one driver and one cleaner for the lorry to start with instead of two drivers and three cleaners. The scales of pay for driver and cleaner were based on those in force for such personnel in the P. W. D. The detailed expenditure was as follows :

	Scale	D. A.	H. R. A.	Total
One Driver	50-60	20.00	3.00	75 x 12 : 900
One Cleaner	20-30	19.00	3.00	42 x 12 : 504

The revised recurring cost of maintenance per annum based on the proposed scale for one driver and one cleaner, would be Rs. 23,100/-.

In the Secretariat, the concerned section put up a note on the letter of the Director on 3--10--58. It only stated that the Finance Department should see the file before orders were issued. The Assistant Secretary signed on 5--10--1958.

The Finance Department saw it and accepted the proposal on 19--10--1958.

The G. O. was issued on 15--10--1958. It provided for a non-recurring grant of Rs. 42,000/- and recurring grant of Rs. 23,100/-. The Director was requested to provide for funds by reappropriation.

Comment

The case deals with the purchase of a lorry and sanction of certain consequential posts to be used in a Government commercial concern. The Director, Industries and Commerce, is the administrative head for the factory which is run as a departmental unit and not as a joint stock company. A periodical review of the working of all Government commercial concerns is made by the Industries Control Board which consists of the Industries Secretary, the Finance Secretary and the Director. With this background, the case, when examined, shows certain interesting points.

Even though it pertains to a commercial concern the decisions which could facilitate economy have to be routed through the time consuming processes prescribed. In the present case it will be observed that almost one year is not necessary for getting the proposal sanctioned. The Control Board is merely a recommending body and not a sanctioning body and does not function as a Board of Directors. Its recommendations are again passed through the Secretariat mill and are put up to the Secretaries who were the members of the Board for a second approval on the Secretariat side. It is also clear that there is no hard and fast rule about the submission of cases to the Board. It is not as if every major proposal has to go before the Board before submission to Government. The Board thus appears to function in these matters as an intermediate level of authority without taking any decisions and which may or may not be consulted.

From the point of time taken it should be noted that the early stages are notable for the desultoriness rather than speed. To the

proposal sent to the Government on 29—10—57 the first response is on 1—2—58 i.e. after 3 months. Queries are raised and clarifications sought piecemeal and in the end of June, 58 the proposal was ordered to be shelved for the year as there was no budget provision "in the current year". This reason, however, did not come in the way of Control Board recommending it and the concerned departments accepting it within two months after the earlier stand. The expenditure was ordered to be met by reappropriation. Indeed, from the date of the Control Board's meeting the progress was quite rapid and to reduce the time involved for a decision even the 'short circuit' procedure was adopted. However, all this was off set by the fact that the Head of the Department made changes in his earlier proposals "on further consideration", these changes affecting only the pattern of the staff proposed and their salaries.

The sum total of all this is that it took exactly 10 days short of a year for getting a proposal sanctioned for a commercial concern - a proposal which is recommended as capable of causing a saving of Rs. 25,000/- p. a.



10. HOSTEL FOR TRAINING OF FISHERMEN AT THE FISHERIES TRAINING INSTITUTE, KAKINADA.

The Director of Fisheries sent a proposal to the Government regarding a hostel for training of fishermen at the Fisheries Training Institute, Kakinada, on 29-3-1962. In it he said that the Department of Fisheries was running a Fisheries Training Institute where 20 fishermen were being given training in every batch for a period of six months. In the beginning the fishermen were allowed to stay in a portion of the building in which the Fisheries Training Institute was housed. But gradually the activities of the Institute increased and the trainees had to vacate the premises and live outside in a rental house. The Director pointed out that there was no control over the trainees during the training period. It was essential to keep them under the control of the Principal of the Institute. Otherwise the trainees were apt to get into bad associations. The Director argued that this should not be allowed to continue. The Principal might be allowed to run a hostel by taking a building on rent. If this was done they would be subjected to disciplinary control of the lecturers and the Principal and would not be allowed to loiter in the city at the end of their day's work. The Director requested the Government to pass orders early.

After this a D. O. letter was sent to the Principal of the Training Institute on 12-4-1962 (actually despatched on 18-4-1962) saying that it was proposed to open a hostel for the fishermen trainees. The Principal was requested to submit proposals for running the hostel, indicating the financial implications. He was also requested to see the hostel run by the Gram Sevak Extension Training Centre.

The principal replied to the letter on 2-5-62. He said that a hostel was already being run and a building was taken up on rent. He said that he had visited the Gram Sevak's Hostel. They had a government building where lodging was free. A mess was run for the trainees. Utensils were provided but 50 np. were collected from every student per month. The Government had given a yearly grant of Rs. 200/- towards games and magazines. A member of the staff who was acting as Deputy Warden was paid an honorarium of Rs. 15/- per month. The Principal also said that the staff of his Institute was getting apprehensive because of the additional work given to them without commensurate remuneration.

Basing on the letter of the Principal, the Director wrote a letter to the Government on 21—5—1962 (It was signed on 25—5—62 and reached the Secretariat on 31—5—1962). In this letter the Director mentioned all the points stated by the Principal in his letter and requested the Government to sanction Rs. 200/- towards magazines and Rs. 15/- honorarium to the Deputy Warden. The total expenditure would be about Rs. 280/- and funds were available in the budget.

On 2—6—1962 the Secretariat sent a memorandum to the Director requesting him to furnish a copy of the Order in which the Gram Sevak Hostel was given a grant of Rs. 200/- and an honorarium of Rs. 15/-. The Director referred the letter to the Principal of the Training Institute on 18—6—1962.

The Principle's reply was sent on 17—7—1962. He said that there was no special Government Order for the purchase of games materials. But the Government Order No. 126 of the Planning Department referred to the purchase of books and periodicals by the Principal up to Rs. 200/-. He enclosed a copy of the G. O. regarding the remuneration of Rs. 15/- for the Deputy Warden.

The Director sent a letter to the Government on 31—7—1962 and enclosed the copies of G. Os. and Principal's letter. On 3—8—62, the Director received a reminder from the Secretariat.

In the Secretariat a note on the proposal of the Director was put up by the section (Agriculture Department) on 7—8—1962. The section reproduced all the arguments of the Director, including those relating to the Gram Sevak Hostel at Samalkot. Without adding any comments of its own, it sought orders on the proposal. The Assistant and Deputy Secretaries approved the proposal on 9—8—62. From here the file was sent to the Financial Adviser (F. A.).

The section of the Financial Adviser mentioned the points stated in the file. Further it commented that there were only twenty trainees in each batch and the training would last for six months only. In view of the limited number of trainees, there seemed to be no necessity to pay any honorarium to the staff member who acted as Deputy Warden. As Deputy Warden he might not have specific work to discharge. The section further pointed out that the analogy of Samalkot Training Centre could not be quoted here. There were more trainees in that Institute. There were similar training institutes in other department.

like Agriculture Department, Co-operative Department etc., where neither any allowance to Deputy Warden nor any grant for purchase of newspapers had been sanctioned by the Government. The Institute was being run in the interest of the trainees. Hence it was for them to contribute some amount for the purchase of newspapers etc., and utilise the same for their own benefit. Even though the amount involved in the proposal was meagre, it was not proper to sanction the same as it was likely to create an awkward precedent. The Finance Department might, therefore, advise against the proposal. This note was put up on 13—8—1962.

On 16—8—1962, the Financial Adviser pointed out that merely because a Gram Sevak Centre was enjoying a grant from Government towards games and magazines for the trainees, this could not be cited as an analogy for others. Further, said the Financial Adviser, it would not be correct to grant an honorarium for the Deputy Warden of the Hostel "after all the strength is small".

When the file came back to the Agriculture Department, the section sought orders on 18—8—62 whether the Director should be informed because the Financial Adviser did not agree to it. The Assistant Secretary said: "The D. F. may be informed accordingly, incorporating the views expressed by the F. A." He signed on the same day and the Deputy Secretary approved on 20—8—1962.

The following memorandum was sent to the Director by the Secretariat on 21—8—1962. "Merely because Gram Sevak Training Centre is enjoying a grant from the Government towards magazine and games, this cannot be cited as an analogy for others. The number of trainees in the Gram Sevak Centre is more when compared to trainees at the F. T. I., Kakinada". In view of this Government did not accept the proposal of the Director of Fisheries to the grant of Rs. 200/- towards games and books and also for payment of honorarium to the Deputy Warden, said the memorandum.

The Director of Fisheries wanted to press for the proposal. He, therefore, wrote another letter to the Government on 15—9—62 (which was signed on 22—9—1962). In it he said that the Government had deferred the proposal. "It may be pointed out" continued the Director, "that under such circumstances it is not possible to run a hostel and this department may be relieved of this responsibility. I am also issuing orders to the Principal, F. T. I. to close down the

hostel". He further said that the file might be put up to the Honorable Minister and a date fixed for discussion with the Minister.

On 22—9—1962 the Principal sent a reminder to the Director requesting him to take immediate action on the proposal. A note was put up by the section Agriculture Department in the Secretariat on 29—10—1962. To the note of the section, the Assistant Secretary and the Deputy Secretary added their comments, the former on 14-11-1962 and the latter on 15-11-1962. The Joint Secretary made his observations on 16—11—1962. He said that in view of the fact that the Principal F. T. I. had already been authorised to incur expenditure up to a limit of Rs. 250/- per year on periodicals and upto Rs. 100/- on games and sports, any consideration of the present proposal of the D. F. was not warranted. The Joint Secretary further said that the Director might however, be requested to come up with fresh proposals, if necessary, in the light of the experience gained during the year.

By this time the Director had sent reminders to the Government on 16—10—1962, 14—11—1962, 8—1—1963, 5—2—1963 and 23—3—1963. To all these, the Secretariat had replied that the matter was under consideration.

Finally a memorandum was sent by the Secretariat to the Director on 19—3—1963. In it the Secretariat informed the Director that the Principal, F. T. I. Kakinada had already been delegated powers for purchase of books and periodicals and also materials required for games and sports. The question of consideration of his present proposal did not arise. As for payment of Rs. 15/- to the Warden, F. T. I. this could not be agreed to as no honorarium was paid to the Wardens of similar hostels for example those attached to Animal Husbandry School, Forest School and Veterinary College.

Comment

This is a very minor case and even the proposal sent to the Government for acceptance involves a very small sum from the financial point of view. But the facts illustrate some points which are pertinent.

It will be noticed that the time taken for disposal is about one year. This time became necessary on account of two main reasons. Firstly, there is the inevitable loss of time due to the principal line officer having to refer now and then to his subordinate officer in the

field to get information to be supplied to the Secretariat. In the absence of clear knowledge as to what are the points on which further information may be called for, proposals from a departmental head are often sent in incomplete form—atleast from the Secretariat point of view. To make good these gaps further correspondence takes place. As the departmental head is himself not in a position to supply the information this resolves itself into a sort of exercise in long distance correspondence with the Head of the Department acting as a relay post in between !

The second contributory cause in the present case is a failure on the part of the Secretariat to perform its legitimate function. It was clear that the Head of the Department had cited the practice in the Gram Sevak Training School and the proper thing for the Administrative Department (even if the Director had not sent copies of the Government Orders) was to have consulted the concerned Department in the Secretariat. The failure to do this has resulted in avoidable loss of time.

A small point — but which cumulatively adds to the total time taken—is specifically brought out here. This is the time lost between the approval of a letter (which date the reference will bear) and the actual typing (fair-copying as it is called) and despatch. It will be seen that this is about 5-7 days even time. Considering how there is need for frequent correspondence before a final decision is taken, the contribution to the total delay arising from this may well be imagined.



11. PUBLISHING OF ANDHRA PRADESH JOURNAL BY THE INFORMATION AND PUBLIC RELATIONS DEPARTMENT.

The Department of Information and Public Relations publishes a monthly journal entitled Andhra Pradesh in four languages: English, Telugu, Hindi and Urdu. It contains articles of popular interest on literature, history, planning etc. The political and economic developments of the State are discussed in the Journal. This case deals with the publication of the English and the Telugu editions of the Journal.

On 26—6—1962 the Director of Information and Public Relations wrote in the file that he was asked by the Minister for Information to improve the get-up of the Journal. The Director said that certain improvements in the get up, such as the colour title page, and better reproduction of photos and blocks could not be done in the presses to which the work was then entrusted. Last time tenders were called from various presses and the issue was ultimately decided on the basis of the lowest tender. The press recommended by the Department was not selected because the quotations were comparatively high. The efforts of the Department were "frustrated". The Director said that the press "Y" was the only press which could do the work according to the desired standards.

On this, the Minister for Information wrote (7—8—1962) that the Director should discuss with him the next time when the quotations were invited. The terms etc, might have to be made a little more attractive. "Any how, we cannot allow bad printing and worst get up in the name of lowest quotations and economy", wrote the Minister.

The Director on 20—8—1962 instructed his office to inform the Minister when tenders were invited. In the meantime, tender notice was put up by the Department.

On 19—9—1962, the Department put up a note regarding the printing of the Andhra Pradesh Journal. It said that the Minister had desired that the Director of Information should arrange a meeting with the Director of Printing Press and with the Deputy Secretary, Industries, in order to arrive at some arrangement that would suit the requirements of this Department in printing the Journal.

On 20—9—1962 the Director said that he was called by the Minister and had been told that the meeting with the Director of Information, Director of Printing, and the Deputy Secretary, Industries, would be held in the Minister's room at the Secretariat on a date in October. The Minister instructed the Department to issue the tender notice incorporating in it the three additional clauses : (1) there should be three columns in each page; (2) the samples of required standard should be prescribed by the Department and kept there for inspection by the party; and (3) the Director's right should be reserved to take action in case of unsatisfactory printing. These three were included in the tender notice and the Director said that tender notice could be issued. The tenders received would have to be taken to the meeting in the Minister's room.

On 30—10—1962, the Deputy Director put up a note stating that the following presses had sent their quotations for publishing the Journal : A, B, C, D, X, Y. These quotations, normally, said the note, underwent technical scrutiny in the Government Press which ultimately advised the Departments about the press to be selected in each case. Before being formally sent to them these might have to be examined at the proposed meeting.

On 4—11—1962, the Deputy Director wrote that it was better to obtain the remarks of the Director of Printing Press before the above said meeting was called. Then only they would be in a position to explain to the Committee the requirements vis-a-vis the Director of Government Printing's selection. To this the Director agreed on 7—11—1962. On 23—11—1961 another note was put up in the Department stating that the Director of Printing had not intimated the names and the presses to whom printing of the Journal might be entrusted from January, 1960. The current contract with the existing press would expire in December, 1962. It was learnt informally that the Government Press had selected the following Presses, theirs being the lowest quotations : X, Y and A. As the matter for January, 1963 issue had to be given by 12—12—1962 the meeting might be called to take final decision before 1—12—1962. The decision had to be taken, said the note, only on Telugu and English editions.

On 23—11—1962, the Deputy Director wrote that he had met the Director of Printing some time back and mentioned the case to him. He had gone to the press again on that day and asked the Assistant Director to expedite the matter. The Assistant Director of

the Press promised to send it soon. The Deputy Director wrote that the advice given above was only oral and that too not the final one as decided by the Director of Printing. He might, therefore, be requested, said the Deputy Director, to go to the meeting with the final advice if the meeting was fixed. If it was convenient for the Minister it might be fixed in his room during the next week and the Deputy Secretary, Industries might be invited. On the same day the Director said that the Minister was away and would return on 29—11—1962. A date might be fixed in consultation with Minister's Private Secretary.

The office put up a note on 3—12—1962. It said that a letter from the Government Press had been received. The Government Press had selected Press 'X' for English and Telugu versions. The meeting, therefore, might be called for discussing the problem. The matter for January issue had to be given to the Press by 12—11—1962.

The meeting was fixed in consultation with the Private Secretary to the Minister on 7—12—1962. The persons present at the meeting were the Minister for Law and Information, Minister for Industries, Deputy Secretary, Industries, Director of Printing, Director of Information and Public Relations and the Editor, English version from the Department of Information and Public Relations. At the meeting the various factors involved in bringing out a publication of good quality comparable to those brought out by Government of India and some other States were discussed. After examining the various samples available and reviewing the experience with the printers who had been printing the Journal hitherto and also with the other presses that had tendered quotations and in view of the fact that the Journal was a prestige publication bearing only a nominal price and was often presented to foreign visitors, tourists and V. I. Ps, it was agreed that in selecting the press, besides the question of economy, the quality factor also should be considered. The Minister for Industries wanted that the Director of Printing in the light of his general experience with the various local presses might select the best ones that could execute the work which involved colour printing if they agreed to accept payment at Government scheduled rates. Another meeting was held on 11—12—1962 where the Director of Printing, Deputy Director, Assistant Director of Printing the Editor of the Journal and the representatives of two local presses 'X' and 'Y' were present. The various requirements of the Journal including the timely production, suitable variety of types and presentable appearance were discussed. The representative of the press 'X' who had quoted

only for monotype printing observed that if 14 type required for the Journal was to be used they would have to raise the quotations and they could not also accept Government press scheduled rates for any operation. The representative of the press 'Y' offered to reduce his rates quoted already in respect of striking and binding. The Director of Printing observed that if the work was allotted to him, there would be a clause in the order that if in respect of any operation their rates were above the Government Press, they would be paid only at the scheduled rates. It was felt that the matter might be considered at another meeting of himself, the Director of Information, and the Deputy Secretary for jointly selecting the press. The meeting was held on 12-12-1962.

Summarising the views of the meeting, the Deputy Secretary, Industries writes as follows: The Director of Printing had informed in the previous meeting that the opinion of the Printing Department had already been communicated to the Director of Information for entrusting the work of printing of the Journal to the press 'X' whose rates were the lowest. But the Minister for Information and the Director of Information had expressed that the decision regarding entrusting of work of printing the Journal should not merely rest on the lowest tendered rates, but other important factors like equipment, machinery, quality of work should be taken into account. It was also indicated that from the work turned out on previous orders, press 'Y' appeared suitable. For this type of work, especially printing in colour blocks, the Director of Printing had pointed out that the rates quoted by this press were the highest. But the Minister for Industries had suggested that the Director of Printing might contact some private printers from among those tenderers who have modern equipment and were reputed to turn out good quality work and to persuade them to reduce the rates.

The Director of Printing reported that in pursuance of these instructions he had held a meeting with the proprietors of press 'X' and 'Y'. The press 'X' which had quoted Rs. 2,095/- for printing 8,000 copies in Telugu and Rs. 973/- for printing 2,100 copies in English reduced their rates to Rs. 1,896/- and Rs. 908/- respectively.

At the instance of the Director of Printing this press agreed to accept the Government schedule rates but subsequently the printer had changed his mind and was now demanding acceptance of his tendered rates for all the operations. When the Editor informed that the Telugu type was required for printing the Journal, the proprietor of

the press 'Y' had stated that he had quoted only for monotype printing in his tender in the absence of any specification made in this regard by the Information Department in the tender notice. Therefore it was required to raise the rate for printing. As a result, the previous rate for the Telugu edition was Rs. 1,680 and the revised rate Rs. 1,860/-; the previous rate for English was Rs. 904/ and the revised rate was the same. The Director of Printing said that the revised rates of both the printers were below the Government schedule of rates.

The Deputy Secretary wrote that the Director of Information was of the view that the Press 'Y' was able to produce quality work as borne out by his previous experience and as the difference between the revised rates of these two presses was only marginal, the press 'Y' should be given a chance to execute the work. The Director of Information was also of the view that the work of block-making should be entrusted to the printers themselves instead of making them in the Government Central Press as was being done now. He expressed the view that in actual practice it had become difficult to find whether there was any defect in block making or in actual printing. In view of these difficulties of the Director of Information, the Director of Printing had no objection for this arrangement provided that the rates of the blocks were below the Government schedule of rates. If the rates already quoted by the presses were below the Government schedule rates these lower rates would apply and in case of the higher rates, only Government schedule of rates would be allowed.

Whenever a cover page had to be brought out in tricolour at the discretion of Director of Public Relations the work of printing of cover pages alone might be entrusted to press 'Y' including the manufacture of blocks in respect of Urdu and Hindi editions also, because press 'Y' had better equipment.

In the note the Deputy Secretary, Industries said that he had examined the responsibility of the Heads of Departments whose work was to be printed privately and that of the Director of Printing. There was no clear indication in the Printing Manual as to who should accept the tenders and whether the opinion of the Director of Printing was advisory or mandatory. There appeared, wrote the Deputy Secretary, to be no settled practice previously but it was the Head of the Department who called for tenders and was competent to accept the tenders. He might get whatever advice he wanted from

any source he chose but the ultimate decision should be that of the person who called for tenders.

The note of the Deputy Secretary said that the Director of Printing had already expressed an opinion but the difficulty had come up as the lowest tenderer was not a printer with adequate equipment to carry out the work. The normal practice in such cases was to skip over such a tender and so on till one arrived at an acceptable offer. In this case of the six tenders it was reported that only A, X & Y were having adequate equipment. A, was to be given up as they were printers for the year 1962 and their work was not up to the mark. Of the other two presses, 'Y' had an edge over the other because they could make tri-colour blocks and previously their work was found adequate.

The Deputy Secretary continuing said that Industries Department would agree to the proposal on the following grounds :

- (a) that the tender rate of press 'Y' was still little below the Government schedule rates.
- (b) the Department for whom the work was to be executed was of the opinion that the press 'Y' would be able to deliver the goods, whereas they were not sure of others.
- (c) In view of the opinion expressed that the Andhra Pradesh Journal was a prestige Journal where quality should count, selection of a tender with higher tender rates appeared to be justified if it could give full satisfaction to the indenting department.

However, pointed out the Deputy Secretary, he would like to make some observations :

- (a) The relative responsibilities of an Administrative Department and a Service Department in such matters should be clearly defined.
- (b) The Department should clearly make up their mind on what basis they want to give work. If the tenderers were to be considered on the basis of their possessing modern equipment etc., it might be included as a tender condition that only people with such equipment should tender and that no sub-letting of the work would be allowed.

- (c) If printing presses capable of doing tri-colour printing were to be selected this might be indicated in the tender condition itself.
- (d) The criteria on which the tenders would be judged should be decided in such cases prior to the calling of tenders and not after the tenders have been received. If it was clearly known earlier that only one press was capable of doing the type of work required, orders in circulation might be obtained straightway to give such work on nomination basis subject to rates being lower than Government schedule of rates, instead of calling for tenders and rejecting other tenders.

Concluding his note, the Deputy Secretary wrote that these observations might be kept in view at least in the case of future assignment of work to private printers by the Department of Information and Public Relations. The Finance Department had not seen the file and the question of circulation did not arise at this stage and might be done at the appropriate stage. The file was returned to the Department of Information and on 14—12—1962 the Assistant Secretary said it might be sent to Finance Department. The Director approved it on 17—12—1962.

In the Finance Department, the Assistant Secretary wrote on 22—12—1962 that the case had not been seen by Financial Adviser (Industries) and it would be better if his remarks were also available for consideration. He said that some of the points to be remembered in this connection were :

- (a) The question was raised in the Public Accounts Committee and some views were expressed there. The Director of Information was present there. The Principal criterion must be to ensure the best quality at the lowest cost. It was essential to lay down standards for quality which if they were not kept up, necessary action could be taken against the printers, as was being done in the case of P. W. D. contractors.
- (b) The rate of contract or the highest tender in itself would be of little avail in the absence of such forms to judge the work and order penalty.

When once the standards of work were laid down and enforced, it was for the printers to see that it was kept up. Government need not concern itself with the fact whether he had adequate machinery or not or whether he did it himself or got the work done somewhere else. The printers would be made responsible for the undertaking. Merely possessing better equipment did not always ensure good quality of work unless Government laid down principles for checking and for any deviation in the work. In view of the above considerations, wrote the Assistant Secretary of Finance Department, it did not appear that accepting highest tender was likely to weigh very much. It did not also seem to be desirable to base decisions on the name of individual presses, as quality of work could much vary even with the same printer. It might not be out of place to explore other avenues where comparable quality of work as was claimed for press Y. had been turned out, for instance a Government booklet recently brought out by press K. if it had meant lower rate. The F. A. Industries had not offered his remarks. It would be worthwhile, said the Assistant Secretary Finance, to know his view also on the subject. The Deputy Finance Secretary approved it on the same day. The F. A. (Industries) wrote on 15—1—1963 that it was not clear as to why the Government press with all its good equipment was not in a position to take up the work in question of the Information Department. It was not clear how the neighbouring states like Madras and Bombay managed to get their work done in respect of their monthly journals etc. Further, he said that during certain periods of the year the Government Press might not be in a position to undertake the printing work of the Information Department due to pressure of work in the budget season or due to the publication of reports of the Assembly. But during the rest of the year there was no reason why they should express their inability to take up the work of the Information Department.

From there the file was sent to the Finance Department. On 25—1—1963 the Deputy Finance Secretary (D. F. S.) wrote that it was not clearly stated anywhere what was the financial implication in accepting the higher tender instead of the lower tender. It might also be mentioned whether the work could not be done at a cheaper rate in the Government press. Further it appeared to be desirable, wrote the D. F. S., that the Government Press should be solely incharge of prestige publications instead of leaving it to the private presses. Finally, continued the note of the D. F. S., till such time as the Government Press was able to take up this work the Department might go by the lowest tender, subject of course, to the condition

that the tenderer had got the required equipment. The Government might also fix up the standard to be kept up and provide for penalties if the standard was not maintained. This was much better than accepting higher tenders in preference to lower ones as this procedure was likely to be questioned.

The Finance Secretary agreed with this note on 8—2—1963. The file was sent to the Industries Department and no remarks were offered there (13—2—1963). From here the file was returned to the Information Department. On 16—2—1963 the Deputy Secretary and Director observed that a summarising note might be prepared and the case circulated. "A lot of time has already been taken by no decision. We may have to obtain orders in circulation and also ratification."

A note for circulation was prepared in the Secretariat section of the Department on 18—2—63. On this the Deputy Secretary and Director wrote about the decision taken at a conference where Minister for Information and Minister for Industries were present. Continuing he said that since the magazine had to be brought out on time and in view of the decision taken, the work was given to press 'Y' who had been doing work satisfactorily. The Finance Department had not agreed to it and "we are where we started from—quality foundering on the rock of not very material financial considerations". The Deputy Secretary and Director further observed that the Director of G. P. had agreed that the work could be entrusted to the Press. "It is difficult to get work done any more unless a definite order is given". On this, the Finance Secretary (20—2—63) pointed out that it was not clear as to why the Finance Department was not consulted before the decision was implemented.

The file came back to the Information Department. The Director in his capacity as ex-officio Deputy Secretary wrote on 27—2—63 that the decision was taken after discussions with two Ministers and departmental representatives. At the latter meeting it was agreed to entrust it to the press in question since its rates had been lower than what it would cost if the Journal were to be printed at the Government Press. He had asked the Director of Printing whether in view of the decision the Journal could be entrusted to the private presses even before the concurrence of the Finance Department and he was told that the concurrence of the Finance Department would be a formality when the technical Department concerned had agreed to the proposal. "If we had awaited for the approval of the Finance

Department there would have been a dislocation of our printing schedule and hence the work was entrusted to the press in question in anticipation of sanction”.

“It was no doubt an omission not to have invited the Financial Adviser to the meeting but this should have been done by the Industries Department. The work, however, was entrusted after their informal agreement”. The Deputy Secretary and Director (D. S. & D. I.) requested the Finance Department that in the circumstances the proposal might be approved.

The Finance Secretary wrote on 28—2—1963 that the Finance Department could not agree with the contention of the D. S. & D. I. and “if this tendency continues the Finance will be obliged to take some other suitable steps. I am obliged to support the view taken by the D. F. S¹. This should at least be accepted for implementation from 1—4—1963”.

The D. S. & D. I. noted on 14—3—1963 that he had met the Finance Secretary and explained to him the various points in the file. Break up and analysis of the quotations were shown to him and pointed out that the press ‘Y’, was the lowest tenderer because it was Rs. 162/- less than that of press ‘X’. Regarding the Telugu edition, the press ‘Y’ had quoted Rs 176/- more than the Press ‘X’. Thus considering the two editions together, the difference of cost of printing was more or less cancelled. There was more economy in entrusting the work to the same press than to the different presses because there was a saving on the cost of making blocks, etc. The D. S. & D. I. also showed him the issues published in the two presses and the difference in quality. In view of the points mentioned above, he said, this might go to the Finance Secretary for approval of the proposal. The Finance Secretary agreed on 15—3—1963. While agreeing he said that at the time of deciding tenders for 1963-64 an officer of the Finance Department might be associated with the discussions. It was approved by the Minister for Information on 16—3—1963.

On the same day, the D. S. and D. I. said a G. O. should be issued. The Assistant Secretary prepared the note on 20—3—1963. The file was again sent to the Finance Department for seeing the draft. In the Finance Department a note was put up on 20—3—1963.

by the section. The Deputy Finance Secretary approved on 1-4-63. The G. O. was issued on 8-4-1963.

Comment

This case highlights an important Secretariat procedure of cutting down time viz., discussions at meetings or conferences where agreed decisions can be arrived at. In all such cases it is necessary, to achieve the object, to ensure that all persons who have any say in the matter are present so that all view points are considered. In this present case it is clear that the absence of the Financial Adviser at this meeting led to the necessity of circulating this file and consequent loss of time. The conference, to that extent, did not fully serve the purpose. A minor point germane to this question pertains to the time when one or more Ministers have to attend such a conference. Being busy otherwise—particularly, if they are on tour—a conference however urgent it may be, must of necessity be fixed so as to suit the timings of the Minister.

The next point worthy of note in this case is the anxiety shown to see that quality of work is achieved without infringing the rules of financial propriety. How technical advice of a Service Department is obtained; how this is considered by the Administrative Department in the background of its actual needs and how the tentative decision is tested against the financial correctness—all these factors are well brought out.

This is a case where the Head of Department is also ex-officio Deputy Secretary. In this case the absence of noting at lower levels in the Secretariat Department is striking. However, it may be noted that though it was hustled through in earlier stages in order to get a decision before 12-12-1962, the case still dragged on till 8-4-1963. This happened in spite of the fact that the Secretariat comments and observations were made available to the Head of the Department directly and not through correspondence in his capacity as Deputy Secretary for the subject.

It may also be noted that except in the Finance Department, the file was dealt with only at the level of the Deputy Secretaries and was never put up to the Secretary at any stage.

12 PRINTING OF DESK DIARIES BY THE INFORMATION AND PUBLIC RELATIONS DEPARTMENT.

A note relating to the printing of Andhra Pradesh diary for 1961 was put up in the Directorate of Information and Public Relations on 31-10-1960. It said that for the last two years the Department of Information and Public Relations (hereafter called D. I. P. R.) had been bringing out Andhra Pradesh diary. The purpose of this prestige publication was to promote home and foreign tourism and also to depict conspicuously the progress of the State in different sectors. It was a common practice with all Governments and concerns to bring out similar publications.

In 1959, one thousand copies of Andhra Pradesh diary were printed at a cost of Rs. 12,183/-. The diary contained 40 black and white pictures and 12 coloured transparencies. Each page was allotted two days. The pictures were chosen keeping in view the major projects in the State and also places of tourist interest. The diaries were distributed to the Government officials upto the rank of Deputy Secretaries free of cost. They were also sent to Governments, Chief Ministers and Ministers of Government of India. The V. I. P.s visiting the capital of Andhra Pradesh were also given a copy of this diary free of cost. In this manner 627 copies were distributed free of cost and 207 copies were sold at the rate of Rs. 5/- each. 160 copies remained unsold.

In 1960, two thousand copies of the diary were brought out by the Department at a cost of Rs. 17,875/-. This diary consisted of 142 pages 23 black and white papers and 12 transparencies. Each page was allotted three days instead of two days as was done in the diary of 1959. 1130 copies of the diary were distributed free of cost to the category of persons on the pattern of distribution made in the previous year. 85 copies had been sold.

The note added that the printing of the diary, in view of its high cost of production, could not be treated as a commercial proposition. The main intention for the publication of such a diary was to publicise the name of the Government, places of tourist interest, to promote foreign and home tourism. It was proposed, therefore, to print 2,000 copies of the diary for 1961 also. In order to promote its sale satisfactorily, on the basis of the previous experience, it was

suggested that the price of Rs. 5/- per diary might be reduced to Rs.3/- Instead of allotting three days per page, one week per page might be adopted along with black and white pictures and transparencies. This arrangement would reduce the cost of production also to a considerable extent. About 18 black and white and 9 transparencies might be included in this diary which would have about 54 pages for engagements at the rate of one page per week. The total would come to 81 pages.

A Government Order might be issued to all Heads of departments, Collectors etc., enjoining them not to purchase any diary other than the State Government diary for their official use.

The Department had examined the proposal whether the calender would be a better substitute for diary. In its opinion the diary served a better publicity purpose than calender. From the points of view of utility also a diary was more useful than calender. In the case of calender all the copies would have to be distributed free of cost because there would not be any demand for its purchase.

The note further stated that as the Government Printing Press was not in a position to undertake the printing of this diary the Department of I. & P. R. might be authorised to contact private presses and get the diary printed at a press keeping in view not only the lowest quotation but also the capacity and the quality of the work of the press. Last year the Government had sanctioned Rs.17,875/- for printing of 2,000 copies of this diary. This year also 2000 copies might be printed at an approximate cost of Rs. 18,000/- which would be met from the budget head of the Department "contingencies - adhoc publications".

The Assistant Director wrote that as the Deputy Director was on leave he was submitting the file to the Director directly.

The Director wrote on 3—10—1960 that this was primarily a prestige publication and not a commercial venture. The Ministers and the officers who were given these diaries free of cost would have to buy otherwise some other diaries in the market on the Government expense. The diary might be brought out this year also as had been done hitherto for the last two years.

The Director pointed out that copies of the diaries produced in 1959 and 1960 were attached. The points for consideration were :

- a. Whether the price of the diary could be reduced by keeping the size of the last year.

OR

- b. Whether both the size and price of the diary be reduced.

It might be mentioned, continued the Director, that any further reduction in size would take away the utility of the diary and so it would be better if the size was kept as it was. Since the time for getting the work done was running out fast, the Finance Department might be requested to see the case urgently before submitting to the Chief Secretary.

The Director marked the file to the Deputy Secretary, Finance Department.

The Deputy Secretary gave his views on 4—10—1960. He said that the price of the diary might be reduced. He further said that last year, only 1,215 copies could be disposed of — the remaining must be lying useless. On that experience, he said, 1,300 copies would be all right. “Personally I would suggest this price to be kept at Rs. 2/- so that more people may buy it”.

Continuing the Deputy Secretary said that the number of coloured prints and photographs could be increased if really good pictures were available. Slightly extra cost should not matter in a prestige publication. Instead of 45 pictures in all, there could be 90 or so. Giving his own views on the subject, the Deputy Secretary remarked : “If the Director does not mind (I am sure he would not) I would suggest the fresh printing of pictures occupying the entire page — the attractiveness would increase. Please see the picture on 15th August, 1959 or 4th June, 1959. I have that sort of thing in mind. Slightly extra cost, if any, would not matter. The printing of the diary in 1959 is much better than that of 1960. We should get at least that standard, if not better”.

About giving it to private press, the Deputy Secretary, Finance observed that his department would not object it, if the Director of Printing Press certified to the reasonableness of the charges. That was a matter on which the Director of Information & Public Relations could consult Industries Department. Further, the Deputy Secretary, Finance Department pointed out that “we should also try

to distribute as large a number as possible outside the State. If this diary comes out sufficiently in advance and the price is reduced to Rs. 2/- I am sure, it could be sold in large number outside the State through book-sellers etc. The reduction in price would be compensated by the increase in the number sold”.

When the file came back to the Director, he observed as follows on 6—10—1960: “Urgent. Further action may be taken by the Assistant Director personally. Estimates have to be prepared”.

Next day, the Assistant Director wrote on the file that with a view “to increasing the sale in all the quarters and enable the diary to reach the largest number of people for projecting government publicity, the Finance Department have agreed to reduce the price of the diary from Rs. 5/- per copy to Rs. 2/- per copy. Sanction may be accorded for printing two thousand copies of the Andhra Pradesh diary, 1961.

“There appears no need to refer the matter to the Director, Government Printing Press because he has already informed that coloured printing is not done by them. Quotations have been called for from the local and outside presses. As soon as the same are received, action will be taken to get the diary printed in the press giving lowest quotation and also guaranteeing satisfactory work within the scheduled time”. The Deputy Director also signed on the same day

On this note of the Assistant Director, the Director said that the Finance Department had agreed with the suggestion to bring out the diaries this year too, as had been done for the last two years. They however, wrote the Director, suggested that instead of 2,000 copies only 1300 copies might be brought out (based on the distribution figure of this year) and that price might be reduced from Rs. 5/- to Rs. 2/- which would increase the sale of this prestige publication. If the price was reduced it was likely that more copies would sell and so perhaps the print order might be kept at 2,000 and the price fixed as suggested by the Finance Department. Tenders had been called for. The proposal might be approved in principle.

The Chief Secretary (i.e., the concerned Secretary) approved it on 8-10-1960. From here, the file was sent to the concerned Minister.

He made the following comment on 13—10—1960: "What will be the total expenditure for printing 2,000 copies and how much can we realise by sales?"

The section of the Department put up a note on 15—10—1960 stating that quotations had been called for and the last date for the receipts of quotations was 20—10—1960. Again next day it stated that the expenditure incurred for the diary in the previous years was:

a. 1959—1,000 copies	..	Rs. 12,183/-
b. 1960—2,000 copies	...	Rs. 17,875/-

The Asst. Director observed on 21—10—1960 that this time also it was proposed to print 2,000 copies for which tenders have been called for and if the number of photos were increased this year the charge for 2,000 copies would not exceed Rs. 20,000/-. As soon as all the tenders were received they would be finalised and the lowest figure would be submitted, keeping in view the quality of work and the capacity of press.

As far as the sale of the diary was concerned, it was pointed out that if the price was reduced to Rs. 2/- per copy, the sale would increase. If 1,000 copies were earmarked for sale, Rs. 2,000/- would be recovered. The Deputy Director approved it on the same day.

The Director saw the file on that day. He said that the last date for the receipt of tenders was 20—10—1960. They should have been received by now. He asked the Department to put up the actual estimates submitted by various presses.

The Deputy Director wrote on 24—10—1960 that only two quotations had been received so far and both these firms expressed their inability to undertake the job.

The Director asked the Deputy Director to speak to him urgently on the same day. After this the Assistant Director wrote on the file that quotations had been called for from local and outside presses. Only two presses, one from Hyderabad and another from Secunderabad had submitted their quotations. The charges quoted by these presses for 2,000 copies were :

(a) Press 'X'— 2,000 copies of the diary with 3 days to a page in the thick offset paper, with 12 art plates printed in four colours, 36 half tone black and white places, front and back cover pages to be printed on thick art card in multicolour— Rs. 22,130/-.

(b) Press 'Y'—3 days to a page with 40 black and white photos and 12 colour photos— Rs. 23,000/-

2 days to a page with 40 black and white and 12 coloured photos— Rs. 23,000/-

Press 'Y' had sent specimen of the paper and the other press had supplied dummy copies as the specimen of pages.

Commenting on this, the Assistant Director said that there appeared to be some mistake in the quotations submitted by the press 'Y' as they had mentioned Rs. 23,000/- for both—2 days to a page and 3 days to a page. The Assistant Director said that he had contacted the press over the telephone and they had told him that it was a typing mistake. The correct figure was Rs. 24,000/- for two days per page and Rs. 23,000/- for three days to a page. However, they would treat Rs. 23,000/- for three days to a page and Rs. 23,000/- for two days to a page. He also said that if order was placed with them the dummy copies would be submitted.

On this the Director observed that he had discussed the matter with the Chief Secretary. He was in favour of three day page. Besides, the Chief Secretary had also suggested the following :—

(i) The width of the diary should be cut down to make it more attractive.

(ii) Publicity for sale should be done.

The Director said that the Department should write now to all the agents and book sellers offering them commission and get their orders booked in advance. They should be available at all good book stalls in the city and at Railway stalls too. The Director said that the Department should at least sell hundred copies this year. Letters to agents and book sellers on points (ii) might go immediately.

Continuing the note, the Director observed that the quotations might now be sent to the Government Press for their remarks on reasonableness of the rates. He said that he had dictated a letter to the Director of Printing Press. "The quotations may be taken to him personally and his advice obtained so that work can be entrusted to the firm before I go". This the Director wrote on 9—11—1960.

On 16—11—1960, the section of Department put up a note. It said that the Government Printing Press had informed that the tenderers had quoted an inclusive rate for printing and paper. Break down figures for printing and paper had not been mentioned. Therefore, it was not possible to scrutinise the reasonableness of those rates quoted by the printers. However, they had stated that the Department of Information might address the Government in the matter and get the sanction for entrusting the work to any one of the presses at the rates quoted by them.

Further, the section said that for 2,000 copies of the diary (3 days to a page) press 'X' had quoted Rs. 22,130/- and press 'Y' Rs. 22,000/-. There was a difference of only Rs. 130/- in these tenders. But the former press had sent dummy copies of the diary. The latter press had not supplied the same and when asked they informed that the dummy would be supplied if the work was entrusted to them. The section requested that the orders might be issued as to which firm the order should be entrusted, so that a Government Order might be issued. The press might also be requested to start the work.

The Assistant Director saw the file on 17—11—1960 and said that the orders might be issued immediately as the work had to be completed before the end of December, 1960.

On the same day the Deputy Director said that the difference between the rate quoted by the press 'X' and press 'Y' was only Rs. 130/- "The reputation of press 'X' is well known. So the work may be entrusted to press 'X'. Special sanction of Government for getting the diary printed at that press at the cost of Rs. 22,130/- may be obtained".

The file was then sent to the Finance Department. The Deputy Finance Secretary observed on 17—11—1960 that the Finance Department would agree. Of course, he observed, the D. O. of Director of Government Press did not say anything specific about the reasonable-

ness of the rate. Last year, in spite of comparatively poorer paper and fewer pictures, the cost had come to seventeen thousand and odd. Considering that this year the number of pictures were more and the paper was better, Rs. 22,130/- could be approved. "As the time is so short there is no other way of verifying the reasonableness".

From there the file was sent to the General Administration Department. In this department the Deputy Secretary observed that "as stated by the Director, Printing Press it may not be possible to scrutinise the bills. If, however, Administrative Department are in a hurry, orders may be taken in circulation. Secretary, Finance, in another case had made an exception entrusting the work to a higher tenderer as a very special case".

The file came back to the General Administration Department, (Information and Public Relations). A note for circulation was prepared.

All the facts were reproduced in the note for circulation. Further it said that under the rules the lowest quotations offered by press 'Y' of Rs. 22,000/- for printing the diary had to be accepted but as the difference of rates between it and that of the other press was only Rs. 130/- and as the reputation of the latter press was well known, it was proposed to entrust the work to this press at a cost of Rs. 22,130/. The Finance Department had seen the case and agreed and suggested that orders in circulation might be obtained. It might be circulated to the Minister for Planning and Information through the Chief Secretary. The Assistant Secretary signed on 19-11-1960, the Deputy Secretary on 21-11-1960, the Chief Secretary on 22-11-1960; from there it was sent to the Ministers. The Minister for Planning and Information signed on 24-11-1960 and the Finance Minister on 30-11-1960.

The Government Order approving the proposal of the Director was issued on 1-12-1960.

Comment

At the outset it has to be mentioned that the Head of the Department in this case is ex-officio Deputy Secretary to Government and has a "Secretariat section" in his office assisting him in the discharge of his duties as Deputy Secretary.

The office note was prepared and seen by the Head of the Department who on 4—10—1960 directly circulated the case to the Finance Department (in fact, to the Deputy Secretary direct) from which it came back on 6—10—60 to the Director. Further processing and putting up for orders of the Secretary and the Minister was done and orders obtained by 13—10—1960. From that date till 17 11-1960 the material necessary for the final note was being gathered by the Head of Department and the note was put up to the Finance Department the same day. The Finance Department accepted the proposal more on the ground of urgency than because it was satisfied with the reasonableness of the rate quoted. Final approval and passing the file along the chain was obtained on 1—12—1960.

In this case the fact which is most outstanding is that the time taken in correspondence has been avoided and queries and suggestions are made and answered on the file — the note being seen by the Head of the Department in his capacity as Deputy Secretary.



GENERAL OBSERVATIONS ON THE CASES

(1) The cases reveal that the queries in the Secretariat are raised not all of them at one time but one after the other. This contributes to delay. In most cases, the Administrative Department does not answer the query raised by the Finance Department but passes it on to the Head of the Department. The latter, in his turn, sends it to the Field Officer, if the case has originated there.

(2) It is not uncommon in the Secretariat to send a memorandum seeking information on matters for which information should be available in the Secretariat itself. Examples of this nature are : asking the Head of the Department whether there is provision for his proposal in the annual plan; or asking him to supply a copy of the G. O. cited by him in the course of arguments.

(3) It is revealing that the Finance Department has a lion's share of the queries raised in the Secretariat.

(4) The sections in the Secretariat Departments do not confine themselves to putting up references and other data relevant to the proposals; often they express opinions on the merits of the proposals. They suggest, at time, the line of action to be taken in the Secretariat.

(5) The cases in the Secretariat pass through at least three levels - section, Asst. Secretary and Dy. Secretary and sometimes five levels - Joint Secretary/Secretary and Minister. If there is a reference to the Finance Department, which is done in many cases, another two levels of that Department are added to it.

(6) Excepting in few cases, the higher levels tend to accept the note put up by the sections. Final decisions are not often taken at the level of Deputy Secretary.

(7) For every matter involving finance, the Finance Department is consulted which has an important say in decision making. It's detailed scrutiny is really a post-budget and not pre-budget scrutiny. The Financial Adviser acts as a part and parcel of the Finance Department and not as a member of the Administrative Department.

(8) The study also reveals that in cases of difference of opinion between the Finance Department and the Administrative Department, they are referred to higher levels.

(9) Not a little of the Secretariat noting specially of the sections, is repetitive and routine in nature. They reproduce what is contained in the proposal of the Head of the Department.

(10) Whether the Head of the Department is a technical person or generalist it does not make much difference to the proposal in the Secretariat.

(11) The Head of the Department having Secretariat status does contribute to the quick disposal of cases. One level is eliminated in decision making here. It is also seen that noting is at higher levels in the files of the Department of Information and Public Relations and usually, the file is dealt with by Director and Dy. Director in the Directorate and the Dy. Secretary and above in the Secretariat.

(12) Although according to the office order in the Secretariat Departments, a file generally should not be seen by more than two officers, this is not always followed. As often as not, the file is referred to higher levels.

(13) It may also be observed that one of the major causes for delay is the mechanical process of preparation of drafts, getting them approved and issuing them after typing. This holds good for both offices and delays arising out of them are common in the Secretariat as well as in the offices of the Heads of Departments

(14) In the disposal of the cases studied by us the time taken is as follows :

Maximum time : 1,010 days.

Minimum time : (a) 9 days in the Department where Head of the Department is also Secretariat officer.

(b) 19 days in other Departments.

Average : 211 days.

APPENDIX I

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APPENDIX II

List of the subjects that should be dealt with in the Ministry and the Departments.¹

(A) The Ministry should be responsible for

1. Formulating the Ministry's general programme.
2. Preparing the budget for discussion with the Finance Department.
3. Submitting its plans to and participating in the discussions of the Development Board.
4. Deciding the policies and principles to be employed in the execution of the programmes.
5. Supervising the general progress of the execution of the Ministry's programme.
6. Watching the progress of expenditure against budget provision.
7. Modifying the programmes and making any consequent budget re-appropriations within the classifications determined by Finance.
8. Appointing Heads of Departments and consequent establishment work.
9. Determining the content of all proposed legislation.
10. Dealing with political and Assembly questions.
11. Allocating office space and domestic house-keeping.
12. Nominating individuals to attend conferences recommended by Government of India and Provinces.

1. Bengal Administrative Enquiry Committee, 1946.

(B) *The Heads of Departments will be responsible for*

1. Proposing at the beginning of the budget year the departmental activities for the ensuing year.
2. Formulating first draft of the department's budget.
3. Acting as technical adviser to the Ministry.
4. Carrying out the research and experiment programme and improving the department's techniques of work.
5. Training the Department's officers in these techniques.
6. Inspecting the execution of work by Departmental District staff.
7. Allocating grants according to rules, making budget reappropriations within prescribed limits.
8. Making within approved rules all appointments, postings, promotions etc., of subordinate officers.
9. Exercising disciplinary powers over all subordinate officers according to rules.
10. Advising the Public Service Commission concerning promotions.
11. Advising Ministers concerning nominations to be made by Government to outside Institutions.
12. Sanctioning attendance of officers at conferences, other than inter-provincial or Government of India conferences.

APPENDIX III

The definitions of certain terms used in the Report

1. *Circulation* The submission of files to the Ministers or to the Governor for information or orders is termed 'Circulation'.
2. *Demi-Official Correspondence* When Government officers correspond with each other or with any other member of the public, on administrative or official matters, without the formality of official procedure and with a view to the interchange of communication of opinion on information which may not necessarily be placed on official record in the proceedings of Government.
3. *Disposal* is a statement of the final decision of the Government on any matter submitted for its information or orders.
4. *Drafting* is the preparation of any communication which it is proposed to issue by on behalf of or under the direction of the Government.
5. *Note* A note is written by a Secretariat official to facilitate the disposal of a case. It may contain a precise of previous papers, a statement of facts reported and proposals made in the current file, the arguments for and against any measure proposed, and suggestions as to the action to be taken.
6. *Section* is a minor division of department of the Secretariat consisting of a Superintendent, Clerks and Typists.
7. *Sectional notes* They are the notes written on each of several issues arising out of a single subject where orders have to be obtained separately on each of such issues.
8. *Government Order* When a disposal or a case contains the orders of the Government, a G. O. is issued.

9. *Memorandum* When any information or opinion has to be obtained from a subordinate officer by an official reference and papers are not being sent in original, a memorandum is issued. In some cases, a memorandum may include intermediate orders of Government. The memorandum form is used to acknowledge the receipt of communication or to convey information not amounting to an order of Government.